UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.533
7 December 1998

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 533rd MEETING

Held at the Palais des Nations, Geneva,
on Friday, 9 October 1998 at 10 a.m.

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

CONTENTS

ADOPTION OF THE REPORT OF THE FORTY-NINTH SESSION OF THE EXECUTIVE COMMITTEE

CLOSING STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

CLOSURE OF THE SESSION

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.98-03357 (E)

The meeting was called to order at 10.25 a.m.

ADOPTION OF THE REPORT OF THE FORTY-NINTH SESSION OF THE EXECUTIVE COMMITTEE (document without a symbol) (agenda item 11)

1. The CHAIRMAN invited the Rapporteur to introduce the report of the forty-ninth session.

2. Mr. LIU Xinsheng (Rapporteur) thanked those delegations whose flexibility and spirit of dialogue and cooperation during informal consultations had made it possible to reach consensus on the decisions and conclusions contained in the report.

3. The report of the forty-ninth session of the Executive Committee was adopted.

CLOSING STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

4. Mrs. OGATA (United Nations High Commissioner for Refugees) thanked the delegations which had participated in the work of the forty-ninth session of the Executive Committee. The sheer number of participants showed that interest in refugees was growing. Despite the great variety of subjects discussed, certain common concerns had been flagged, such as the continued need for international protection for those forced to leave their homes as a result of violence and persecution, which was a matter requiring global solidarity. In that regard, UNHCR had been pleased to note that most delegations had strongly reaffirmed their commitment to protecting refugees and sharing the burden which they represented. However, it was true that the international community had paid insufficient attention to the cost of carrying out those responsibilities, and particularly the responsibilities devolving on countries which had given asylum to large groups of refugees. The issue of resources in the widest sense remained a key element in the refugee debate. The political, social and environmental consequences of the successive crises in Africa or the mass influx of Afghan refugees into Pakistan and the Islamic Republic of Iran, for example, had been as substantial as their economic cost. UNHCR lacked the means to redress all the current imbalances, but it could act as an instrument for the more equitable sharing of refugee responsibilities.

5. Regarding UNHCR's role, the distinction between protection and assistance was an artificial one. Anyone who had visited a refugee camp would recognize the protection value of a food distribution system or plastic sheeting, both of which not only helped refugees to survive, but also enabled personnel working for UNHCR and non-governmental organizations to establish direct contact with refugees and displaced persons. That said, the protection of refugees, returnees and, where appropriate, other victims of forced displacement would remain the top priority of all UNHCR operations.

6. Regarding the doubts expressed by some delegations about UNHCR's role in returnee reintegration activities, it should be recalled that UNHCR's involvement in that crucial phase of the displacement cycle had been requested and endorsed by the Executive Committee itself. The stabilization of returnees was an indispensable element in the reconciliation of divided

communities and, as such, in post-conflict resolution. Such a process could also have some preventive value in avoiding further displacements. UNHCR's efforts in that field had been hampered by a growing gap between humanitarian and development assistance, a gap which had been commented on by a number of delegations. Development partners should be able to intervene expeditiously, but that was often difficult because they had not been present on the ground during the conflict and because they lacked resources in the post-conflict phase. UNHCR was determined to make every effort to bridge the gap and considered that it had a duty to do so in respect of countries emerging from years of conflict, such as Liberia, which lacked the necessary infrastructure to receive mass influxes of returnees.

7. UNHCR had been pleased to note the support for initiatives to create an international framework for solutions to refugee problems such as ICARA, CIREFCA and the Comprehensive Plan of Action. A number of delegations had also expressed their support for new initiatives such as the regional return strategy in the former Yugoslavia, the process set in motion by the Kampala regional meeting on refugees and the CIS conference. Nonetheless, international support was needed more than ever to identify rapid solutions to the conflicts in the Democratic Republic of the Congo, Angola, the Horn of Africa, Afghanistan and Kosovo. Cooperation should also be stepped up to counteract various factors that exacerbated conflicts such as the trade in small arms, the plague of landmines and the traffic in human beings.

8. UNHCR also welcomed the fact that certain industrialized countries had reported improvements in asylum procedures which, it was hoped, would not be coupled with a trend towards a restrictive interpretation of refugee law. Those States which had announced an increase in their refugee resettlement quotas were also to be commended. Lastly, expressing its gratitude to Governments which had pledged their additional financial support, UNHCR reiterated the need to make every effort to establish a flexible and predictable funding base while at the same time endeavouring to improve resource management and strengthen the transparency of evaluation activities.

CLOSURE OF THE SESSION (agenda item 12)

9. The CHAIRMAN declared the forty-ninth session of the Executive Committee closed.

The meeting rose at 10.45 a.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.534
8 October 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fiftieth session

SUMMARY RECORD OF THE 534th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 4 October 1999, at 10 a.m.

Temporary Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

Chairman: Mr. PÉREZ-HERNÁNDEZ y TORRA (Spain)

CONTENTS

OPENING OF THE SESSION

STATEMENT BY THE OUTGOING CHAIRMAN

ELECTION OF OFFICERS

STATEMENT BY THE CHAIRMAN

STATEMENT BY THE CHAIRMAN ON HIS VISIT TO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, ALBANIA AND KOSOVO

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.99-04573 (E)

The meeting was called to order at 10.15 a.m.

OPENING OF THE SESSION (item 1 of the provisional agenda) (A/AC.96/L/L.1)

1. The TEMPORARY CHAIRMAN declared open the fiftieth session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees.

STATEMENT BY THE OUTGOING CHAIRMAN

2. The TEMPORARY CHAIRMAN said that his two years' membership of the Bureau of the Executive Committee, and especially his visit to Africa in his capacity as Chairman, had given him first-hand knowledge of the day-to-day realities of UNHCR's work in the field. Having seen with his own eyes the tremendous amount of efficient and effective work being done, he was more than ever convinced of the need for timely and adequate financial support for efforts designed to avoid crises and find solutions before situations became unmanageable. In rationalizing its work and making it more dynamic, the Executive Committee should not only fine-tune the existing instruments so as to adapt them to constantly changing situations, but should also bear in mind the close relationship between all aspects of the refugee problem and the need for economic development and social stability. The problem of refugees did not exclusively affect the countries directly involved; it impinged on the safety and security of the international community as a whole.

ELECTION OF OFFICERS (item 2 of the provisional agenda)

3. Mr. SKÖGMO (Norway) nominated Mr. Pérez-Hernández y Torra (Spain) for the office of Chairman.

4. Mr. RODRIGUEZ (Colombia) and Ms. RODRIGUES (Mozambique) seconded the nomination.

5. Mr. Pérez-Hernández y Torra (Spain) was elected Chairman by acclamation.

6. Mr. LEPATAN (Philippines) nominated Mr. Al Khorram (Islamic Republic of Iran) for the office of Vice-Chairman.

7. Mr. DEMBRI (Algeria) and Mr. CAMBIASO (Italy) seconded the nomination.

8. Mr. Al Khorram (Islamic Republic of Iran) was elected Vice-Chairman by acclamation.

9. Ms. BETANCOURT (Venezuela) nominated Mr. Chélia (Argentina) for the office of Rapporteur.

10. Mr. HUHTANIEMI (Finland) seconded the nomination.

11. Mr. Chiélia (Argentina) was elected Rapporteur by acclamation.

12. Mr. Pérez-Hernández y Torra (Spain) took the Chair.

STATEMENT BY THE CHAIRMAN

13. The CHAIRMAN said that UNHCR's fiftieth anniversary offered an excellent opportunity not only to take stock of lessons learned in the past, but also to translate them into future action. In expressing the hope that the anniversary would stir Governments and civil society to renewed efforts on

behalf of refugees the world over, he paid a special tribute to the work being done in the field by non-governmental organizations and stressed the need to convey UNHCR's basic message to all countries.

14. In his view, the Executive Committee's short-term priorities should include international protection issues; the encouragement of accession to the basic conventions; continuing attention to the humanitarian problems arising from the current conflicts in Timor, Africa, the Balkans and the Caucasus; and increased concern with other ongoing conflicts in Asia and especially in Africa.

15. UNHCR's medium- and long-term priorities were essentially two-fold: to continue the process of internal reform that had already begun and to improve cooperation and communication between Governments and civil society, including not only NGOs, but also the media, commercial enterprises and regional and local associations, in transmitting the message of assistance to refugees and in mobilizing the necessary funds.

16. At the present fiftieth anniversary session, the Executive Committee should consider ways and means of giving fresh impetus to its work, possibly by making more frequent use of informal consultations and by conducting seminars and brainstorming exercises on questions of structural or topical interest. The security of humanitarian workers and the promotion of human rights in general and international humanitarian law in particular were two of the main topics he had in mind.

STATEMENT BY THE CHAIRMAN ON HIS VISIT TO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, ALBANIA AND KOSOVO

17. The CHAIRMAN, reporting on his visit to the Former Yugoslav Republic of Macedonia, Albania and Kosovo in July 1999, when he had still been Vice-Chairman of the Executive Committee, said that the purpose had been to ascertain facts, exchange views with the authorities of the countries concerned and transmit a message of solidarity and understanding on behalf of the Executive Committee of UNHCR.

18. The humanitarian assistance phase of the Kosovo refugee crisis was scheduled for completion in the spring of 2000. It would merge into the reintegration and rehabilitation phase, which in turn would lead to the stage of economic and institutional reconstruction. The swift-moving nature of the crisis, and especially the mass return of the very refugees who had poured out of Kosovo shortly before, had placed very heavy demands on Governments, international humanitarian assistance organizations and non-governmental organizations alike, thereby immeasurably complicating planning and logistics. The complexity of the relief and reconstruction efforts had also been magnified by the fact that so many refugee host countries had been involved.

19. Most of the refugees had been deprived of identity papers, and that had posed a major problem during the Kosovo crisis. Widespread human rights violations had also been a prime cause for concern. The Kosovo crisis had demonstrated the vital importance of international refugee protection and the need to provide UNHCR with adequate resources to respond rapidly to similar humanitarian crises. The ethnic dimension of the crisis had illustrated the need for reconciliation programmes.

20. The bulk of the Kosovo refugees had been women, children and old people, many of whom had managed to bring money with them. Consequently, the refugees were by no means destitute and, in contrast to what had happened during other humanitarian crises in the past, they had not been decimated by disease or

famine. However, the international community still had a responsibility to provide a regular and predictable flow of resources in order to facilitate planning. The rapid and bewildering succession of events had amply demonstrated the value of adequate forward planning and contingency planning. The establishment of a rapid-reaction task force could be one way to ensure the necessary degree of flexibility.

21. The effective information campaign aimed at returning refugees and the presence of the International Security Force (KFOR), which had eased transport and infrastructure problems, were two specific aspects of the Kosovo refugee crisis which needed to be flagged. But, despite those specific characteristics, the Kosovo crisis also provided wider lessons in the field of intergovernmental and inter-agency cooperation and security measures to protect refugees and humanitarian workers. Continued thought also needed to be given to economic reconstruction and development in the aftermath of humanitarian and refugee disasters.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (agenda item 3) (A/AC.96/L/L.1)

22. The agenda was adopted.

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (agenda item 4) (A/AC.96/923)

23. Mrs. OGATA (United Nations High Commissioner for Refugees) said that the root causes of conflict and displacement often lay in a failure to give due recognition to the aspirations and rights of ethnic minorities or various social groups. Such an approach fuelled separatist claims and exacerbated tribalism, nationalism and ethnocentrism. Separatist success led to retaliations, resulting in polarized societies and the formation of refugee crises.

24. The categorization of groups of displaced people had become increasingly blurred and the growing role of criminal gangs and mafia-like power structures had further complicated the picture. Refugee movements had become a major source of instability and conflict, resulting in a demand for rapid solutions, sometimes at the expense of humanitarian and refugee protection principles and sometimes requiring UNHCR and its partners to work rapidly and simultaneously in countries of asylum and return.

25. In Kosovo, thousands of people had been expelled from their homes in a period of just a few weeks. To address such a large-scale exodus, UNHCR had been forced to resort to services that only the military could provide. Return, occurring just 10 weeks after the outflow had started, had been an even faster exodus in reverse. The principal areas of concern had been logistical problems in Albania and securing permission for refugees to enter the Former Yugoslav Republic of Macedonia. To examine the lessons that could be learned from the Kosovo crisis, her Office had launched an independent evaluation of the humanitarian response. However, the fact that so many countries had cooperated in the unique humanitarian evacuation programme had provided a fine example of partnership in ensuring protection.

26. The Kosovo crisis was not over. Almost 1 million people were still without proper housing. They needed to be helped through the winter and UNHCR was working hard with its governmental partners to meet that deadline. More intractable problems had still not been addressed. The Serb and Roma minorities in Kosovo continued to be subject to forced displacement. Although KFOR had helped to curb violence, sporadic attacks had continued. The

minority populations had dwindled to less than half their original number as a result of unacceptable revenge attacks. Ethnic Albanian leaders had to be persuaded that the suffering of the Albanian people was no justification for renewed ethnic cleansing.

27. The bulk of people from the minority communities had fled to the Federal Republic of Yugoslavia, where they faced an uncertain future in a country crippled by war, economic crisis and international isolation. The international community had an obligation to provide those refugees with humanitarian aid.

28. In the wider sense, the Kosovo crisis had demonstrated that only a comprehensive international effort would enable the Balkans to move from a state of chronic conflict to one of stability, development and progressive integration into Europe. The launching of the Stability Pact for South-Eastern Europe was therefore a welcome development. It was also a cause for concern that 1.5 million people from Bosnia and Herzegovina and Croatia had still not returned home, four years after the Dayton peace accords. Property issues, depressed economic conditions, unemployment and poor infrastructure were currently the main factors influencing the decisions of potential minority returnees. Economic development and job creation were therefore important in resolving the problems associated with displacement.

29. The displacement crisis in both East and West Timor was also of extreme concern to UNHCR. Since the arrival of the multinational force, UNHCR had worked in East Timor as part of an inter-agency team to protect and assist displaced people. Although a UNHCR emergency team was currently working in West Timor, which had recently witnessed an influx of 200,000 refugees from neighbouring East Timor, access to the refugees continued to be difficult and sporadic. Many of the refugees were living in the open. Scarce food, overcrowding and poor hygiene were causing problems and the rainy season was not far off. It was therefore essential to initiate organized assistance for refugees in West Timor before conditions started to deteriorate. The protection and security situation was much more alarming. It was reported that militias had forced people to leave East Timor and others had allegedly been held in West Timor against their will. Such reports were corroborated by the visible presence of armed militia elements among the displaced population.

30. The Indonesian Government should provide all necessary security measures to guarantee the safety of refugees and humanitarian agencies, maintain the civilian character of refugee sites and facilitate humanitarian activities. Refugees should be permitted to make an informed and free choice regarding their future. A UNHCR presence in West Timor was therefore indispensable and its access to refugees must be free and secure. Those proposals had been accepted by the Indonesian Government.

31. The situation of internally displaced persons in Colombia had deteriorated of late, with 3,500 people crossing the border into Venezuela. The refugee situation in Sri Lanka had stagnated following a fresh outbreak of fighting. No progress had been made in the ongoing problem of the 97,000 Bhutanese refugees in Nepal. In Bangladesh, interim solutions for refugees unwilling or unable to return to Myanmar needed to be promoted and accelerated.

32. In Africa, on the other hand, bold efforts had been made to bring peace to the most troubled areas. The Lomé and Lusaka ceasefire agreements had demonstrated Africa's strong desire for peace. However, the implementation of the agreements had become bogged down and old refugee crises were no closer to being resolved. Further progress in UNHCR's preparations for repatriation in

Western Sahara were dependent on developments in political negotiations. Sudanese refugees had continued to arrive in Uganda and Kenya and people displaced by the conflict between Ethiopia and Eritrea were still awaiting the implementation of the agreement based on the peace framework negotiated by the Organization of African Unity (OAU).

33. In July, she had briefed the Security Council about the refugee situation in West Africa and Central Africa after visiting those regions earlier in the year. Half a million Sierra Leoneans still lived in camps. In Liberia, rebel attacks in areas where Liberian refugees had been returning and Sierra Leonean refugees were hosted might discourage the return home of other refugees or force people to flee again. Guinea had been the target of incursions by rebel forces. In Central Africa, connected and interlinked conflicts were due to coalitions of defeated or disbanded armed groups. As a result, the refugee crisis was worsening in Gabon and the Central African Republic and, in the Democratic Republic of the Congo and the Republic of Congo, fighting might lead to sudden population movements. The situation in Burundi was fragile and the conflict in Angola had generated perhaps the worst humanitarian crisis in Africa.

34. The vast region stretching from the Black Sea to Central Asia was another area of concern. The situation along the southern border of the Russian Federation was especially worrying. Conflicts in Dagestan and Chechnya had displaced tens of thousands of people, but criminal gangs which threatened humanitarian agencies made it risky and difficult to provide the assistance requested by the Russian Federal Government and the Ingush authorities. That assistance would therefore be provided through local networks from the UNHCR's base in Stavropol. In the South Caucasus, there were over 1 million refugees or internally displaced persons in Armenia, Azerbaijan and Georgia, but the peace process was deadlocked and the international community's attention was being distracted by other, more pressing emergencies. In addition, genuine support for the refugees' undeniable right to return was sometimes mixed with a wish to make political capital out of their plight. She therefore urged all concerned Governments to support bilateral talks between Armenia and Azerbaijan and to encourage peace negotiations in Georgia.

35. In Afghanistan, the situation was becoming increasingly complicated because renewed fighting had prompted fresh population movements, while Iran and Pakistan were still bearing the burden of 2.6 million refugees, yet humanitarian agencies had little access to areas of internal displacement or refugee return and too little attention was being paid to that area.

36. The plight of refugees throughout the world underlined the importance of improving their protection in emergency situations. Since 1996, UNHCR had made major changes focussing on delegation and decentralization and other needs for improvement had come to light in the process. In 1999, the high rate of deployment of emergency staff had stretched capacity to such an extent that it had become clear that emergency standby capacity at the senior and middle management levels had to be strengthened, mechanisms triggering the early emergency deployment of staff and the handover to longer-term personnel had to be fine-tuned and staff training had to be expanded. The publication in 1999 of the second edition of the UNHCR Handbook for Emergencies was therefore to be welcomed.

37. The overall management of the Office had been streamlined and, closely connected with that reorganization, operations in Africa had been restructured. A comprehensive Operations Management System had been devised

and new software would be introduced to support it. The budget for the year 2000 had been consolidated in a unified structure to satisfy the wish for a clearer presentation of requirements and more transparent reporting on the use of resources and in the hope that Governments would thereby be encouraged to allocate adequate funding in a flexible, timely manner.

38. A new human resources management package would be launched on 1 January 2000. Its aim was to ensure better linkage between job skills, job requirements and the posting system and to introduce a merit-based promotion system. That package was backed up by an ambitious staff development strategy with five core learning programmes, which responded to various recommendations made in past years.

39. The eruption of new types of conflict in Kosovo and East Timor had shown that there was a need to identify the best international method of dealing with them. Since such wars affected regional security, countries in the area had reacted quickly with mixed results, as had been demonstrated by NATO action in Kosovo and ECOMOG's efforts in Sierra Leone. Although InterFET was gradually restoring the rule of law in East Timor, no organized administration had yet been established.

40. Regional initiatives to bring peace to troubled areas were welcome, but the role of the military in humanitarian operations could prove problematical. If the services provided by military forces were well defined, as they had been in Albania and the Former Yugoslav Republic of Macedonia, they were most useful. In Kosovo, military assistance had sometimes been supplied in order to gain legitimacy and visibility, but it had undermined the coordination and effectiveness of humanitarian agencies and, in some instances, had jeopardized the security of refugees. The military should therefore not be used as a substitute for humanitarian agencies, which alone had the necessary, principled independence from political considerations and the experience and expertise to deal with the human dimension of crises.

41. Kosovo had also shown that, in a high-profile emergency, the operating space of humanitarian agencies had become so overcrowded that their ability to function had been diminished. While Governments were often pressured by public opinion to act swiftly to relieve suffering, emergency action had to be well coordinated and not bypass or duplicate the activities of humanitarian organizations. Furthermore, the amount of aid poured into the southern Balkans was disproportionate when compared with the modest resources supplied by Governments to respond to other equally grave crises in Africa. She therefore requested the Executive Committee to reconfirm its support for multilateral action as a means of avoiding humanitarian micromanagement or bilateralism.

42. UNHCR's core mandate was to protect refugees and search for solutions to their problems. Protection was above all granting asylum to those fleeing persecution and conflict and advocating refugees' rights. The Special European Council Summit in Tampere would provide an opportunity for heads of State and Government to ensure that the European Union's asylum and migration policy was firmly rooted in the full application of the 1951 Convention relating to the Status of Refugees. The precedent set in Tampere ought to be visionary and not simply based on minimum common denominators.

43. Asylum was, however, only the first step towards protection, which often required difficult discussions about the implementation of refugees' rights, ensuring that their material needs were met, alleviating their traumas, helping them to become self-sufficient, preventing the hostility of host communities, creating awareness worldwide and paying attention to the most

vulnerable groups. To that end, UNHCR would continue to collaborate with its closest partners: operational agencies within the United Nations system, non-governmental organizations and other international bodies.

44. The search for solutions to the plight of refugees had to begin as early as possible and it meant offering them realistic choices and informing them about those choices. To that end, UNHCR had to have full and free access to refugees. It was therefore worried about the situation in countries such as Afghanistan and the Democratic Republic of the Congo and in certain areas of Liberia and Sierra Leone, where it had little or no presence, since there was no better way to restore dignity to a refugee's life than to offer him the possibility to make a choice.

45. UNHCR had a precise mandate which could not be replaced by more generic forms of humanitarianism. Whenever international crises caused refugees to flee, the response had to be based on the principles of refugee protection. UNHCR's role as the custodian of those principles had to be respected and its operating space had to be better defined and defended.

46. Mexico and Guatemala had established an exemplary partnership in protection by granting safety, assisting and providing choices to Guatemalan refugees and thus marking the end of the Guatemalan repatriation programme. Mexico had also announced its intention to accede to the 1951 Convention, an example which ought to be followed by the members of the Executive Committee which had not yet signed that key instrument.

47. UNHCR's fiftieth anniversary offered an opportunity to celebrate the courage, resilience and determination of refugees and to take pride in its own ability to help refugees make positive contributions, during the hard period of exile, to the communities giving them asylum, as well as hope and feel that they had a future.

48. Mrs. BELLAMY (Executive Director of the United Nations Children's Fund) said that the previous half century had been a time of fruitful collaboration between UNHCR and UNICEF on behalf of the uprooted, the poor and the downtrodden, most of whom were women and children, and their shared vision of multilateralism meant that they could move quickly to support each other in providing refugees and displaced persons with stronger protection and in seeking answers to vexed human problems.

49. Indeed, the activities of UNHCR, UNICEF and the World Food Programme had become a model for humanitarian cooperation. The lynchpin of those activities was UNHCR's courageous staff and their unshakeable commitment to helping those in need. Their recent efforts in West Africa, East Asia and the Balkans on behalf of refugees and internally displaced persons were a testament to the skill and vision that the United Nations High Commissioner for Refugees had brought to UNHCR in the past decade.

50. UNHCR had done much to assist refugee children and promote their rights in a context which had changed dramatically since the end of the Cold War. The proliferation of conflicts within States, the routine targeting of civilian populations and the privatization of warfare made possible by a number of negative factors had resulted in horrific violations of human rights and humanitarian law. In those situations, women and children suffered disproportionately. The task of gaining access to the swelling ranks of endangered civilian populations was made all the more difficult for humanitarian agencies by the politicization of the issue. The complexity of today's armed conflicts made a collaborative approach to the protection of

displaced women and children essential, but such collaboration did not relieve States of their responsibility to protect their own civilian populations and to take humanitarian action - or to permit others to do so.

51. United Nations staff were increasingly coming under attack and United Nations property had been looted with impunity. UNICEF was exploring ways of protecting the lives of its staff by providing additional training and equipment and HIV treatment for victims of rape.

52. UNICEF's mandate with regard to refugees was guided by the principles of the Convention on the Rights of the Child and, in all its efforts, it was committed to finding joint strategies to deal not just with the consequences of emergencies, but also with their root causes. Its holistic approach combined humanitarian relief with long-term development objectives which included protection for all children in high-risk situations. That was why it continued to stress the healing powers of education in countries struggling to recover from humanitarian tragedies. The protection of children in armed conflict also had to be based on the provisions of the above-mentioned Convention. UNHCR and UNICEF had to work together to provide such protection as childrens' rights moved higher up the international agenda in anticipation of a watershed event for children in 2001, which would mobilize international leadership in tackling the remaining goals of the World Summit for Children.

53. UNICEF's Peace and Security Agenda for Children set out a number of principles aimed at safeguarding the lives of children in wartime and including them in post-war peace-building efforts. While UNICEF had been encouraged by signs of growing recognition that lasting peace and sustainable development required the fulfilment of the rights of children and adults, it would not regard its endeavours as truly successful until it had secured the well-being of the world's children; stronger collaboration with UNHCR would always form the cornerstone of its efforts to that end.

54. Ms. TAFT (United States) said that, since the last session of the Executive Committee, the world's attention had been focused on Kosovo, where the entire life cycle of a refugee population - from persecution and flight to repatriation - had been compressed into a very short space of time. Then, with peace struggling to gain a foothold in Kosovo, the East Timor crisis had arisen.

55. The most important issue in both East and West Timor was the protection of displaced civilians, concern for which should be the driving force behind the international community's actions. Those wishing to move back to East Timor should be permitted to do so under UNHCR auspices; those requiring protection and assistance should receive it where it could best be provided. Following Mrs. Ogata's trip to Indonesia, it was important that the authorities there kept their promise to cooperate so that assistance activities could begin.

56. She commended the High Commissioner on her leadership and unremitting focus on the needs of millions of refugees throughout the world who still could not return home. Governments must continue to fund shelter, food, health and psychosocial support for those refugees. Her own country had been able to keep up the level of its assistance to less well-publicized areas of the world, such as Africa, where United States contributions accounted for one third of the General Programme requirements; its overall contribution in 1999 would exceed US$ 278 million. The United States remained committed to resettlement as an important element of protection.

57. Partnership for protection had been exemplified in the Kosovo crisis by the partnerships between Governments that offered asylum and those that provided humanitarian assistance and evacuation; between UNHCR and international and non-governmental organizations; and between the humanitarian and military communities during repatriation. Kosovo had provided a demonstration of the durability of the refugee regime and proved that international partnership could work flexibly and quickly. The lessons learned would help the international community to improve its response capability and she looked forward to UNHCR's evaluation of the exercise.

58. Much progress had been made in recent years in addressing the problem of the physical protection of refugees - whether individuals or communities - in camps, for example. The Secretary-General's report on Africa (S/1998/318) had highlighted the problem of refugee security and the need to maintain the civilian and humanitarian character of refugee camps. Security Council resolution 1208 (1998) could prove an important tool in dealing with the problem of refugee security, emphasizing as it did the need for host countries to develop institutions and procedures to implement the provisions of international refugee law, camps to be located away from borders and refugees to be separated from those who did not qualify for protection.

59. In some cases, camp security problems were so serious that some of the more controversial measures on UNHCR's "ladder of options" needed to be considered, including the use of multinational civilian police, training for the host country's police or for refugees themselves, and the use of multinational forces to protect refugee camps. Resources were always an obstacle, but ways and means must be found to fund such protection.

60. Mr. HUHTANIEMI (Finland), speaking on behalf of the European Union and Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, said that recent mass displacements made it more urgent than ever to seek partnerships to prevent, mitigate and resolve acute human suffering and its root causes. The distinction between combatants and civilians had become blurred. Humanitarian assistance was delivered under extremely dangerous conditions and humanitarian access was frequently denied. He therefore welcomed the adoption of Security Council resolution 1265 expressing the Council's willingness to respond when humanitarian assistance to civilians was deliberately obstructed.

61. The European Union once more urged States that had not yet done so to accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, which were the cornerstone of refugee protection. However, complementary forms of protection were needed in order to meet present-day challenges such as the situation of displaced persons in complex crises and mass influx situations.

62. Refugee problems needed to be addressed in a comprehensive manner, involving countries of origin, countries of asylum and other affected countries, and encompassing all phases of displacement. States had the primary responsibility for preventing involuntary displacements and creating conditions conducive to voluntary repatriation in safety. Asylum countries were responsible for protecting refugees. UNHCR's mandate was to work in partnership with States to achieve those objectives. The dialogue between UNHCR and European Union States, for example, was proving not only beneficial, but necessary for both sides to fulfil their international obligations. Under article 63 of the Treaty of Amsterdam, the European Union must adopt measures on asylum within five years, including regulations governing the reception of asylum seekers and on the granting or withdrawal of refugee status.

63. A concerted approach to the root causes of displacement was essential in view of the complexity of current refugee movements and population challenges in general. The European Union had established a high-level working group on asylum and migration in an effort to coordinate its concrete actions with the three pillars of the Union - foreign and human rights policies, development and economic cooperation. The working group represented a new level of dialogue and its results could not have been achieved without intensive consultation between UNHCR and the European Union.

64. Regional arrangements also served the purpose of partnership for protection. In the context of the thirtieth anniversary of the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, the European Union remained extremely concerned about the humanitarian situation in many parts of Africa and appealed to the parties to conflicts there to respect human rights and cooperate with humanitarian organizations. Meanwhile, the European Union would make every effort to provide assistance to victims and, in cooperation with the United Nations, was assisting in the field of conflict prevention and resolution. OAU was to be commended for its own work in conflict resolution and for promoting ethics in government, fostering economic cooperation and intensifying the fight against poverty.

65. Cooperation and coordination among international organizations was a major challenge, not only to UNHCR, but also to bilateral donors, agencies and NGOs. There was still insufficient cooperation among United Nations agencies and between donors and NGOs. It should be possible for UNHCR to hand over responsibility for former refugees on completion of repatriation programmes, rather than having to stay on indefinitely to provide protection to returnees. The Inter-Agency Standing Committee (IASC), the Office for the Coordination of Humanitarian Affairs (OCHA) and humanitarian coordinators on the ground were vital in that regard. IASC was also doing important work in bridging the gap between relief and reconstruction, and with internally-displaced persons. The European Union appreciated the information on IASC regularly provided by UNHCR.

66. He paid tribute to the High Commissioner for her leadership in responding to the enormous humanitarian challenge of the Kosovo conflict. The European Union supported full implementation of Security Council resolution 1244 (1999) and the efforts of UNMIK and KFOR in Kosovo. Much could be learned from the experience of creating partnerships in Kosovo. UNHCR's humanitarian evacuation programme had demonstrated the need for a functioning partnership among third countries as well as between those countries and UNHCR, for example. In the post-conflict situation in Kosovo, the four pillars of UNMIK would provide the international community with a basis for partnership in the unprecedented task of reconstructing a society that had literally been torn to pieces. In the delicate situation there, UNHCR, as the humanitarian lead agency in UNMIK and as the organization responsible for protecting refugees, still had problems to address, including the security of returnees and preparations for winter.

67. The crisis in East Timor was far from over. Humanitarian personnel required safe access and he welcomed the Indonesian Government's assurances to UNHCR in that regard. He commended Mrs. Ogata's efforts and the work of UNHCR, ICRC and OCHA in the area.

68. The input and participation of civil society in the search for solutions to humanitarian crises was increasingly important, as was the need for partnership between United Nations agencies and civil society. UNHCR should take advantage of the capabilities of local NGOs, which often had closer

links with host communities and could help in capacity-building and seeking durable solutions. It was also important to work together with refugees themselves and other persons of concern to UNHCR.

69. Special measures should be considered to guarantee the physical safety of humanitarian personnel. The European Union welcomed the special arrangements between humanitarian organizations and national law enforcement authorities, inter alia, for the physical protection of refugees. The Secretary-General had made a thought-provoking statement to the fifty-fourth session of the United Nations General Assembly on humanitarian intervention and his report to the Security Council on the protection of civilians in armed conflict (S/1999/957) had been very welcome.

The meeting rose at 1 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.535
16 November 1999

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fiftieth session

SUMMARY RECORD OF THE 535th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 4 October 1999, at 3 p.m.

Chairman: Mr. PÉREZ HERNÁNDEZ (Spain)

CONTENTS

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.99-04577 (E)

The meeting was called to order at 3.15 p.m.

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (agenda item 4) (continued) (A/AC.96/923)

1. Mr. BEHZADIAN (Islamic Republic of Iran) said that, despite the continuous efforts of the international community, the refugee crisis was still one of the most alarming problems the world faced. Refugee flows resulted mainly from tensions and local conflicts, inequitable regional and international relationships, and other causes such as underdevelopment, the gap between rich and poor, drought, natural disasters and environmental degradation: that explained the extent and complexity of the crisis, which had now taken on an international dimension. Solving the problem would require the political will of the whole international community, particularly since the developing countries which hosted three quarters of the world's refugee population did not have sufficient economic or financial resources.

2. The Islamic Republic of Iran, with 2 million refugees, had been the major host country for eight years. Each year it devoted considerable sums to meeting refugees' basic needs, an outlay that made deep inroads into its development programmes, while annual international assistance to refugees in Iran was minimal. Iran expected UNHCR to increase its allocation to refugees in the country and to ease its budgetary regulations so as to make it possible for any monies not used by the end of the fiscal year or left over as a result of foreign exchange rate differentials to be used for the benefit of refugees.

3. Protecting refugees was not merely a matter of adopting resolutions indicating the international community's desire to uphold refugees' rights, but also a matter of granting them entry and refugee status in the host countries. The degree to which countries shouldered that responsibility varied: it was therefore necessary to strengthen partnership and increase burden-sharing. The efforts made in recent years at the international level to put an end to conflicts, mass killings and ethnic cleansing showed that, through international will, consensus and cooperation, peace could be achieved and humanitarian tragedies throughout the world could be halted. The international community should concentrate on the situation of displaced persons in the Middle East and South-East Asia and on the search for a lasting solution to the problem of refugees in Afghanistan and Iraq, by providing a climate that would allow them to return to their countries and enjoy their human rights.

4. The Islamic Republic of Iran considered that voluntary repatriation was still the best solution. The international community, and UNHCR in particular, should therefore make efforts to strengthen that process through concrete programmes with adequate financial resources, with a view to restoring peace and stability in war-torn territories, assisting reconstruction and building up returnees' self-reliance.

5. The Iranian Government was currently working with UNHCR's office in Tehran on a joint programme for the voluntary repatriation of Afghan refugees. In the past year, a number of returnees had crossed back into Iran. The international community should bring pressure to bear on the Taliban group to stop the war and end human rights violations in Afghanistan.

6. If voluntary repatriation could not be carried out soon enough, resettlement on a much broader basis than was currently the case should be considered. The Islamic Republic of Iran commended the efforts of international NGOs on behalf of refugees on its territory.

7. Mr. van der HEIJDEN (Netherlands) said that security was of fundamental importance, as his delegation had seen during the Netherlands' presidency of the Security Council during the previous month. Protection was UNHCR's prime mandate, but it could only fulfil it through partnerships and security. That had been demonstrated in Kosovo, Sierra Leone and East Timor, as well as in the Great Lakes region. In the Great Lakes, UNHCR had been confronted with an almost impossible situation that had obliged it to compromise on humanitarian principles and even to withdraw. That had prompted the High Commissioner to call for a new partnership for security and protection, linking the international community's political responsibility and humanitarian aid.

8. Some progress seemed to have been made in that direction since 1998, partly through the adoption of the Rome Statute of the International Criminal Court, which made it possible to apply the principle of individual accountability to those guilty of atrocities and also covered violence against humanitarian workers; and partly as a result of the growing conviction that the Security Council should take action in cases of widespread violations against civilians in armed conflict. In that regard, the report of the United Nations Secretary-General on the protection of civilians in armed conflict (S/1999/957), prepared at the request of the Security Council, represented an important contribution to the strengthening of partnership for security. In its resolution 1265 (1999), the Security Council expressed its willingness to consider the recommendations made by the Secretary-General in his report, inter alia, by reactivating the International Fact-Finding Commission set up in accordance with the first Additional Protocol to the Geneva Conventions. The Netherlands hoped that the forthcoming International Conference of the Red Cross and Red Crescent would make further contributions to that important issue.

9. Different situations required different approaches, but the Netherlands Government wholeheartedly supported calls made by UNHCR and other agencies for a greater balance in addressing humanitarian needs worldwide. Greater efforts should be devoted in particular to Africa, where most of the "forgotten conflicts" were raging. With regard to partnerships for security, initiatives such as the Regional Meeting on Refugee Issues in the Great Lakes, organized in 1998 by UNHCR and the Organization of African Unity (OAU), as well as several follow-up actions in the region, were of particular relevance.

10. The tangible partnerships established by UNHCR with peacekeeping forces in order to protect refugees, and with NATO during the Kosovo crisis, might give rise to questions about the impartiality of humanitarian aid. However, opinion seemed to be moving in favour of those who believed that the prime task was to ensure the protection and safety of innocent populations. In that regard, he said that the Netherlands representative to the fifty-fourth session of the General Assembly had called on politicians to acknowledge that the balance between sovereignty and human rights and between State and people was shifting.

11. He hoped that the international community would take the necessary action to ensure that populations were no longer harassed by the purveyors of terror and that humanitarian workers did not remain isolated and helpless in the face of crisis. The situation in East Timor showed

both the progress made by the international community in reacting swiftly and determinedly to a major humanitarian crisis, and the manifold obstacles yet to be overcome. In view of the difficulties UNHCR was facing in bringing relief to the region's refugees, it was essential for the international political community and the humanitarian community to work closely together in order to resolve them.

12. Ms. BENTANCOURT (Venezuela) said that UNHCR's basic mission - to ensure the full protection of persons displaced by violence - had become extremely complex and required effective support. UNHCR could not deal with such situations alone. Although it made valiant efforts at coordination in the field, partnerships were clearly essential. Venezuela wholeheartedly endorsed the principle in a broad sense, although it must translate into active cooperation with all levels of government, international and regional organizations, cooperation and finance agencies, civil society, local associations and church authorities. Moreover, such partnerships should address not only the refugee issue, but also development. Venezuela welcomed the recent initiative by the High Commissioner and the President of the World Bank to link humanitarian relief and long-term development more closely.

13. Cooperation was also required in order to prevent crises and thereby avoid mass population displacements. UNHCR's mandate should allow it to coordinate international preventive action both with the Governments of potential countries of origin and with the Governments of potential host countries. Such cooperation should aim at strengthening emergency preparedness and response capabilities.

14. It was also of vital importance to flesh out the international standards of protection and clarify a number of as yet poorly defined concepts, including the concept of an internally displaced person. That concept should be given a clear legal definition that could be included in UNHCR's mandate. Some thought must also be given to defining specific situations, such as bilateral cooperation between concerned countries, with UNHCR participation, and temporary protection for internally displaced persons.

15. Refugee protection extended also to preparations for their return. It included the physical safety of refugees themselves, whether they were in camps or in reception areas, and that of humanitarian personnel. Lastly, referring to paragraph 38 of document A/AC.96/923, she emphasized that successful partnership required adequate resources and must be seen as mutual cooperation.

16. Mr. BRENTON (United Kingdom of Great Britain and Northern Ireland) said that he associated himself with the statement made by Finland on behalf of the European Union. It fell to States, and particularly to members of the Executive Committee, to ensure that UNHCR received the necessary material and political support to carry out its role effectively. The past year had brought major new challenges to UNHCR and its partners, with massive displacements in Kosovo and East Timor and continuing humanitarian crises in Africa and elsewhere. The United Kingdom would continue to assist UNHCR to fulfil its protection role and welcomed the High Commissioner's intention to strengthen the Office's emergency response capacity.

17. The British Government also supported Ms. Ogata's efforts to promote States' accession to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and welcomed

the accession of Georgia and Kazakhstan to those instruments. Many receiving States found it difficult to meet their obligations under the Convention and the Protocol: relieving that burden, by promoting the early voluntary return of refugees to their homes in safety and dignity, was a shared challenge.

18. UNHCR could not take sole responsibility for protecting refugees; a range of partnerships was required. The United Kingdom welcomed the efforts UNHCR had made in recent years, through its "reach out" consultations with States, international organizations, NGOs and the corporate sector. A key example of partnership was the development of regional migration management processes. The European Union was working towards a common policy on migration and asylum, issues that were currently being considered by a high-level working group. The European approach should ensure that asylum procedures were fair and effective, thus making it possible to provide protection to those who genuinely needed it, tackle the illegal trafficking of humans and consider the root causes of migration in partnership with countries of origin and countries of transit.

19. In other regions, the United Kingdom welcomed the follow-up activities to the CIS Conference, and the Bangkok process. Such regional partnerships could help enhance the protection of vulnerable populations and reduce the tensions that could arise between States when migration was not properly managed.

20. It was the international community's task to ensure the physical safety of refugees and civilian populations in situations of armed conflict. The United Kingdom warmly welcomed the Secretary-General's recent report on the protection of civilians in armed conflict (S/1997/957): careful consideration should be given to his recommendations on the separation of combatants from civilians in refugee camps. He welcomed the fact that UNHCR had already begun relocating camps that were too close to the border with refugees' country of origin, as the report had suggested. The United Kingdom encouraged receiving countries to work with UNHCR in deciding the location of camps.

21. Greater attention must be given to preventing emergencies arising, by promoting respect for human rights, good governance and the eradication of poverty. But it was not always possible to prevent conflict. He welcomed the Secretary-General's thoughtful remarks to the General Assembly on intervention when conflict prevention failed. While military action must always be the last resort, there was a shared responsibility to act when confronted with genocide, mass displacement or major breaches of humanitarian law. In Kosovo, for example, firm action by the international community had resulted in success. The United Kingdom had given support in kind to that operation in order to enhance UNHCR's effectiveness on the ground. Now that some 800,000 Kosovar Albanian refugees had returned, efforts must be focused on improving their shelter before winter set in and on establishing a multi-ethnic Kosovo.

22. The international community was also responding rapidly in East Timor, but there was still cause for great concern at the situation of several hundred thousand persons displaced by violence and intimidation. The United Kingdom welcomed Indonesia's undertaking to provide access for UNHCR and other humanitarian agencies in West Timor, following Ms. Ogata's visit: he urged the Indonesian Government to give its full cooperation on the ground in order to ensure the safety of the displaced persons and to allow those who wished to return to do so.

23. Such recent crises must not divert attention from the plight of other refugees and internally displaced persons around the world. There were about 21 million people of concern to UNHCR, and many of them were in situations where humanitarian access was difficult. It was vital to enhance their security and that of the humanitarian workers trying to help them. In that regard, he paid tribute to the dedication and courage of UNHCR staff, many of whom were working in extremely dangerous conditions.

24. Mr. BURUSAPATANA (Thailand) said that the international community was facing unprecedented humanitarian challenges and should give serious consideration to the concept of humanitarian intervention, a new aspect of collective action, which had been proposed by the Secretary-General to the United Nations General Assembly. To be successful, the concept would need to be developed further on the basis of legitimate and universal principles.

25. For more than three decades, Thailand had been helping hundreds of thousands of refugees and asylum-seekers from neighbouring countries such as Cambodia, Laos, Viet Nam and Myanmar. It therefore attached great importance to partnership on the issue of refugees and displaced persons: the idea lay at the heart of any durable solution to humanitarian crises. The success of the Comprehensive Plan of Action (CPA) in South-East Asia provided a clear answer to the question asked in the thematic paper under discussion: "Why do we need partnerships?". The Plan had taken into account all the dimensions of the refugee issue and the interests of all the parties concerned.

26. The last camps housing Cambodian refugees in Thailand had closed in April 1999 and his delegation was pleased to learn that UNHCR's reintegration assistance to Cambodia was continuing through the implementation of community based "Quick Impact Projects". Thailand had itself provided that kind of assistance to Cambodia through the intermediary of international humanitarian agencies and NGOs, in the knowledge that partnership for long-term development was necessary if sustainable repatriation was to be ensured.

27. Some Lao refugees had been in Thailand for more than 20 years and, following consultative meetings between the Thai and Lao Governments and UNHCR, it had been agreed that about 1,160 Lao who had not been granted refugee status would be returned to their country by the end of the year with UNHCR repatriation and reintegration assistance. That, too, was undoubtedly an example of constructive partnership.

28. Along its western border, Thailand had for many years shouldered a considerable burden with limited resources. The presence of a large number of displaced persons in that area had had adverse consequences for the local population in terms of environmental degradation, deforestation, pollution and the spread of disease, as well as a psychological impact on villages and problems of security. The partnership established in order to find a sustainable solution for some 100,000 displaced persons from Myanmar had gained momentum under the working arrangements agreed between the Thai Government and UNHCR. His Government would like to see UNHCR engage more with the Myanmar authorities in order to obtain an assistance role within that country, particularly with a view to providing free reintegration assistance to returnees. UNHCR should adopt an offensive rather than a defensive strategy in that regard.

29. With regard to partnership at the regional level, his delegation wished to express its thanks for the work of UNHCR, the International Organization for Migration (IOM), ICRC and the Asia-Pacific Inter-Governmental Consultation (APC) on Refugees, Migrants and Displaced Persons.

30. Mr. LUNDE (Norway) said that events in Kosovo and East Timor and the prolonged conflicts in Africa and elsewhere in the world demonstrated the need for greater solidarity and deeper reflection on how the international community could help more effectively. UNHCR, whose dedicated staff had tackled formidable challenges during the past year, could not fulfil its mandate if it could not rely on effective partnerships.

31. Partnership with States was founded on those States' obligation to provide asylum and protection to refugees. Norway endorsed UNHCR's drive for universal ratification of the 1951 Convention and the 1967 Protocol and welcomed the recent accession of Georgia and Kazakhstan to those instruments. Partnership with States was a pre-condition for sustainable solutions and he welcomed UNHCR's efforts to increase the number of resettlement countries, although voluntary repatriation remained the preferred solution.

32. UNHCR's partnerships with regional organizations had resulted in regional instruments that were welcome additions to the international protection regime. The important lessons learned from regional or subregional partnerships, such as the Comprehensive Plan of Action (CPA) in South-East Asia and CIREFCA in Central America, could provide a model for other regions. Many current refugee situations demanded regional approaches that took account of the social, economic, political and humanitarian dimensions, with a central role for regional and subregional partners. UNHCR's cooperation with OAU and OSCE was significant in that regard. The partnership with OSCE had helped in dealing with problems of refugees and displaced persons in the CIS countries and had proved its relevance again during the Kosovo crisis.

33. Turning to partnership with other international organizations, he said that UNHCR's mandate complemented that of ICRC, UNHCHR and the human rights treaty bodies. That partnership was indispensable in addressing the situation of internally displaced persons and the guiding principles on displaced persons provided a useful basis for further concerted action. Strategic partnerships with other parts of the United Nations system were needed, as well as with the financial situation and bilateral actors, particularly in order to ensure the transition from war to peace, when large groups of refugees and displaced persons needed to be reintegrated. The negative social and economic impact on countries hosting refugees should be addressed from that perspective.

34. NGOs were vital partners in the area of protection and assistance and Norway supported the revitalization of Partnership in Action (PARinAC). The Year 2000 PARinAC Plan should focus on how best to meet the common objective of protecting refugees, in particular vulnerable groups.

35. With regard to partnership with civil society, the protection role played by local communities and host families could not be overestimated. The success or failure of various mechanisms of protection often depended largely on the goodwill of ordinary people and their communities, as had recently been seen in Kosovo and East Timor.

36. A crucial partnership was the one formed with refugees themselves. Norway encouraged UNHCR to continue to involve refugees in its work in the field. He pointed in particular to the valuable experience gained from community-based projects in Africa for the empowerment of women and the strengthening of their protection role.

37. The "Reach Out" consultations had proved successful in building support for protection from all partners - from States to NGOs and from United Nations agencies to corporations. Norway believed that UNHCR should take the lead in approaching traditional and non-traditional partners in order to open up the consultations to new partners.

38. A variety of partnerships was also vital in addressing growing security concerns. States must take concrete steps to enhance the safety of peacekeepers and humanitarian personnel and must hold all States and non-State actors accountable for their attacks on humanitarian workers operating in territory under their control. New partnerships had emerged between UNHCR, local police forces and the police of third countries with the aim of ensuring camp security. More should be done to guarantee the civilian and humanitarian character of refugee camps and security around those camps. Norway had taken a particular interest in enhancing the capacity of local police in the field of democracy and human rights. The training-for-peace programmes in southern Africa should serve as an example for other regions of the world.

39. Mr. DORAIS (Canada) said that the UNHCR Executive Committee had been and remained an instrument for partnership on behalf of refugees. Canada welcomed UNHCR's initiatives to develop new partnerships in the domains of business, science and culture, but protection remained primarily States' responsibility. It was therefore essential to call again for the greatest possible number of States to ratify the 1951 Convention and the 1967 Protocol and it was important for Executive Committee members to set an example.

40. The crises that had recently shaken the international community were a reminder that it must always be ready to show solidarity. When such emergencies arose, it must be able to respond in a coordinated and effective manner, particularly in cases of mass migrations of civilians in search of protection. Protection meant the safety both of displaced persons and of those working with the agencies responsible for helping them. Unacceptable violations of humanitarian law and human rights instruments had recently occurred and means must be found of allowing the staff of humanitarian agencies to move around freely and safely in order to bring the required aid to those in need.

41. More and more often in modern conflicts, civilian losses and displacements were an aim of war and the international community must take concerted action in order to deal with the problem. Canada believed that Security Council resolution 1265 (1999) and the Secretary-General's report on the protection of civilians in armed conflict (S/1999/957) were of fundamental significance and that they should be acted on immediately.

42. Host countries' responsibilities must not be forgotten and the first of those was the obligation not to return persons seeking protection. When a mass outflow of refugees occurred, the host country should grant and facilitate access to its territory to humanitarian agencies. In such cases, UNHCR should be given the status of lead agency in the host country in order to coordinate relief on the ground.

43. NGOs and local communities were vital partners on the ground. NGOs often had skills in areas where UNHCR and States were not always as well equipped. NGO action could be made even more effective, however with better coordination. UNHCR should continue to play a leading role in that regard by coordinating NGOs' operations and delegating special responsibilities to them under partnership agreements.

44. Refugees themselves were an invaluable source of information and genuine partners in meeting their needs and helping with security in the camps. Women refugees had a particularly important role to play, in Africa and elsewhere, women refugees could often do a great deal to resolve conflicts and restore peace.

45. Partnerships should not be confined to areas affected by conflict, but should extend wherever asylum-seekers sought protection. Population flows were now taking new forms and becoming ever more complex. Dialogue with partners must therefore be stepped up and suitable responses found to new situations. Canada itself was concerned at the increase in traffic in migrants and the proliferation of cases where refugee status determination procedures were bypassed. Such abuses were very costly to counter and tended to undermine popular support. Canada wished to work with UNHCR to find innovative and appropriate responses to the new challenges.

46. Lastly, he said that agreement should be reached on additional efforts to be made in the area of conflict prevention and the promotion of sustainable development in order to address the root causes of forced population displacements. When a conflict broke out, it was essential to be ready to respond so as to give the best chance to reconciliation and reconstruction, for example, through demobilization, demining and relief to victims, support from civil society and the establishment of the rule of law and a fully representative Government.

47. Ms. BEDLINGTON (Australia) said that partnerships helped to mobilize a broader array of human and financial resources. A dual-level approach to partnership was needed - strategic and specific. Strategic partnerships included the identification of appropriate bodies and the establishment of links with those bodies. Such partnerships were most valuable in responding at short notice to unpredictable situations like the crises that had broken out in the Great Lakes, Kosovo, East Timor and, recently, Chechnya. UNHCR itself should be seen to be an exemplary partner. Partnership should not exist merely between headquarters, but also in the field. Particular attention should be paid to communication with key partners, including countries of first asylum. Partners must be carefully chosen. The most important partner was the refugee population itself, which was a source of rich and diverse skills and should be engaged in decision-making and service provision.

48. In the past, UNHCR's traditional partners had always been States, NGOs and other international organizations. It was time to bring in new partners - the corporate sector and

private individuals. One example was the operation to establish safe havens for Kosovar evacuees, which had involved a number of public and private Australian institutions, as well as families. UNHCR had the integrity and credibility to impress on new partners the importance of their engagement. It was essential that the available financial and human resources should be used efficiently. She commended UNHCR on the progress made in strengthening the evaluation function, but more remained to be done. Partnerships must also aim to prevent the conditions that created refugee flows by addressing their causes. Efforts must therefore be made to promote sustainable development, poverty reduction and good governance. Partnerships must also take on other particularly critical tasks: protection in the countries of first asylum, refugees' security, security-training programmes, the establishment of safe havens, support for local integration and voluntary repatriation in conditions of safety; support for post-conflict reconciliation and resettlement in other countries; and lastly, combating misuse of the institution of asylum and the traffic in persons.

49. One of the principal lessons to be learned from the experience of the past five decades was that no single State or organization could take on the task of international protection of refugees on its own. Partnerships were therefore necessary, but also the political will to provide the required supportive framework. Differences and diversity could become strengths when harnessed in cooperative partnerships working for the common good, for protection, for human dignity and for human rights.

50. Ms. KUNADI (India) said that any partnership must necessarily focus on both protection and burden-sharing. The refugee problem was basically a humanitarian issue and had to be everyone's problem if it was not to run the risk of becoming no one's problem. India believed that the concept of partnership should cover cooperation not only between UNHCR on the one hand, and States and other concerned actors on the other, but also between States and other concerned actors. Refugee protection was of course primarily the responsibility of States, but in a world profoundly affected by globalization, forced displacement could not be regarded as the problem of receiving countries only: a global response must be found. When talking of protection, it was important to guard against an excessive focus on physical safety; the human dignity of refugees, the protection of their rights and the search for sustainable solutions were equally important components.

51. The importance of partnership could not be over-estimated in an environment where signatories to the Convention relating to the Status of Refugees were setting aside its provisions and even questioning the fundamental principle of non-refoulement. Refugees were faced with restrictive practices such as border closures, interdiction at sea, expulsions and premature returns to an insecure environment, imposed by countries that had the economic ability and the duty to give them asylum and protection. And yet, as was well known, it was predominantly developing countries that were hosting refugees. In doing so, they risked their environment, their economy and their social fabric in order to provide refuge to millions of people. Addressing the needs of those countries must therefore be made a top priority.

52. Referring to the key elements of partnership mentioned in paragraph 9 of document A/AC.96/923, she said her delegation believed that the best way to address the refugee problem was to deal with its root causes and she welcomed the recognition of the need to ensure a transition from relief to sustainable development. However, India did not agree with the concept

of partnership for "monitoring human rights", an expression with negative connotations. Her delegation favoured dialogue, cooperation and national capacity-building in order to ensure the prevention of situations involving gross violations of human rights that had the potential to generate massive refugee flows. No partnership should cast doubt on UNHCR's non-partisan and impartial status. There was a body of opinion that said that partnerships should be reinforced through States' accession to various conventions and protocols. That was a narrow and restrictive way of looking at things. India believed that the essence of partnership was sharing a common objective. India was not a signatory to the 1951 Convention, yet hosted a large number of refugees and funded its refugee programmes entirely from its own resources. Lastly, India recognized the need to ensure the protection of humanitarian personnel and was aware of the problem posed by the presence of armed elements in refugee camps; assistance should be given on request to help concerned States enhance their capacity to guarantee the required security.

53. Ms. RÓDRIGUES (Mozambique) said that, with the help of UNHCR and the international community, her country had taken on the task of repatriating, resettling and reintegrating populations that had fled from Mozambique and sought refuge in other countries. Despite its scarce resources, Mozambique was determined to maintain its traditional solidarity with all refugees. It also wished to enable others to benefit from its experience.

54. UNHCR's prime mandate was to lead and coordinate international action for the worldwide protection of refugees and the resolution of the refugee problem. By virtue of its activities, it also promoted peace and international security, the development of friendly relations among nations and respect for human rights and fundamental freedoms. In that regard, partnership offered a new way to deal with the complex problems presented by refugee movements. The problems were becoming ever more formidable owing to the rapid changes taking place in an increasingly complex international environment. Support for the institution of asylum was declining and humanitarian law and human rights were being deliberately and flagrantly violated in situations of armed conflict; civilians, and in particular the elderly, women and children, were targeted more and more frequently; the risks faced by humanitarian personnel were constantly growing; and an ever growing number of irregular migrants, armed elements, drugs and arms traffickers and other criminals were seeking refuge alongside genuine refugees. That showed how important it was to establish creative partnerships aimed at a concerted international approach to guarantee refugees' physical safety and strengthen respect for human rights and humanitarian law. Even when partners did not take the same approach to issues, it was vital for them to work together and pool their resources in order to address root causes, guarantee respect for human rights, promote capacity-building in host States and guarantee a secure environment for returnees, including disarming and effective de-mining operations. Another critically important security issue was the re-integration of demobilized soldiers into civil society.

55. Mozambique was facing two daunting challenges: on the one hand, hundreds of thousands of refugees from other countries needed its help and, on the other, hundreds of thousands of Mozambicans were still refugees in other countries and were anxious to return home. The concentration of refugees around the major city of Maputo, in the south of the country, was giving rise to serious problems: crime rates were soaring, while massive drugs and arms trafficking operations were becoming established and spreading into neighbouring

countries. With its partners in the Southern African Development Community (SADC), Mozambique was attempting to find the most appropriate means of tackling the problems. The continuation and escalation of the armed conflicts in Angola and the Democratic Republic of the Congo constituted a serious threat not only to the lives of refugees and displaced persons, but also to the political, social and economic stability of the region.

56. Another issue of concern to the Government of Mozambique was the deplorable situation of the East Timorese refugees, particularly those at present in West Timor. The Government welcomed the High Commissioner's recent visit to refugee camps in that region. Creative and constructive partnerships based on the complementarity of human rights, humanitarian law and refugee protection and security might allow sustainable solutions to the refugee problem to be found.

57. Mr. MOHAMMED (Nigeria) said that the Executive Committee's annual theme underscored the importance of partnerships at a time when providing international protection to refugees and other persons of concern to UNHCR was becoming more and more difficult as the international environment increased in complexity. The notion of asylum was itself very complex, with armed and criminal elements seeking asylum alongside genuine refugees. Only through a concerted international approach based on partnership would it be possible to deal with such situations. Nigeria welcomed the innovative, dynamic and comprehensive approach being adopted by UNHCR. Recently, the Kosovo crisis had provided a good example of international solidarity and burden-sharing, involving ICRC, the OSCE verification mission in Kosovo and local and international NGOs.

58. After 16 years of military rule, Nigeria had just made the transition to civilian government. It was building or rebuilding democratic institutions and needed to mobilize all available resources to that end. He therefore called on the international community to increase its assistance to the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG) in order to bring lasting peace to Sierra Leone and consolidate the tenuous peace in Liberia. Past experience - in South-East Asia, Central America and Kosovo - had shown that, with the necessary will, the international community could resolve a crisis and find a lasting solution. Nigeria asked it to show the same solidarity in dealing with the conflict in Sierra Leone and contributing to reconstruction in Liberia, Rwanda and Angola in order to ensure lasting peace there. It would also like to see a demonstration of commitment by the international community in support of regional and subregional initiatives to prevent or resolve conflicts or restore peace, such as the current efforts being made by ECOWAS to avert a crisis between Liberia and Guinea.

59. Liberia exemplified the socio-economic and environmental problems that arose in countries hosting mass influxes of refugees. Burden-sharing mechanisms should aim to alleviate such problems, which had received more rhetorical than practical attention to date. In order to improve the conditions of civilian populations affected by armed conflict, Nigeria called for a code of conduct to be prepared, providing for goodwill missions to be sent to all parties to ensure that they respected the rules of war, allowed access to civilian populations and put a stop to all the vices that had become common practice in modern conflicts.

60. NGOs had become indispensable partners, as Partnership in Action (PARinAC) showed. Nigeria urged UNHCR to build up the capacities of local NGOs, particularly in Africa, in order to help them cope better with emergencies. The President of Nigeria had declared the 12 months from June 1999 to June 2000 the year of peace in the African continent. Nigeria, with its new order based on democracy and the rule of law, would continue to uphold the principles of the 1951 Convention, the 1967 Protocol and the 1969 OAU Convention.

61. Mr. PETIT (France) said that he fully endorsed the statement made by the representative of Finland on behalf of the European Union. The choice of partnership as the annual theme of the fiftieth session of the Executive Committee had been given added relevance by the fact that the recent crises in Kosovo and East Timor, together with the situation in several regions of Africa, showed that it was impossible for a single organization, regardless of its qualities, to meet such humanitarian challenges alone. Only through partnership could a broader range of skills and greater flexibility be brought to bear on each situation. France welcomed the search for new partnerships, but it was up to UNHCR to ensure that everyone respected the humanitarian values that guided its action.

62. The recent crises had highlighted the difficulties of coordinating relief activities. OCHA had a key role to play in that regard and its establishment had been a real step forward. All those participating in a humanitarian operation had to understand and respect collective action, which was the key to efficiency. The experience of the programme of humanitarian evacuation for Kosovars had shown how effective partnerships between humanitarian agencies and Governments could be, provided that certain criteria were observed.

63. First of all, the creation of partnerships required a comprehensive view of the humanitarian problem and how to respond to it. In addition, each participant's mandate should be respected. In that regard, France believed it was particularly important to make protection the mainstay of UNHCR's mandate and would like UNHCR to take direct responsibility for protection. Complete transparency among those participating in UNHCR-led operations, in particular NGOs, was extremely important. Last and most important, humanitarian actors must take full account of refugees' wishes, which provided the justification for their action. France commended UNHCR's consultations with refugees during the Kosovo crisis. Naturally, partnership was not confined to the immediate humanitarian response, but must continue during the period of reconstruction.

64. It was in that spirit that France had actively participated in the donors' conference on the reconstruction of Kosovo and was contributing to the long-term deliberations being carried out within the Inter-Agency Standing Committee (IASC). It also welcomed the agreement reached on the principles applied by the European Union for financing and co-financing United Nations-run programmes and projects. Aware of the need for a joint approach to asylum and migration issues, France and Germany had adopted a common position advocating absolute respect for the right of asylum and requesting the early implementation of the new provisions of the Treaty of Amsterdam. All those experiences showed that a well-organized partnership was a source of mutual enrichment and therefore of more efficient service to refugees.

65. Lastly, he paid tribute to those humanitarian workers who had opposed hostage-takers or refused to withdraw from the country, since that would have meant abandoning large numbers of refugees under their protection.

66. Mr. KALASHNIKOV (Russian Federation) said the theme of the session was of great relevance and that his country was in favour of strengthening the international refugee status determination regime based on the 1951 Convention, in view of the geopolitical changes the world was currently experiencing and the differences in levels of economic development between the various regions. Following the disintegration of the Soviet Union, the Russian Federation had acceded to the 1951 Convention and its 1967 Protocol and adopted federal legislation in accordance with international standards of refugee protection. A system of immigration control had been set in place and immigration policy was being developed. The Russian Federation was grateful to UNHCR for its legal and material assistance in that regard. It was now impossible for persons in the Russian Federation to be denied access to refugee status determination procedures or to be expelled to States where they might be in danger.

67. Nevertheless, the lack of resources meant that the Russian Federation was finding it difficult to provide effective assistance to all those who needed it. An analysis of migration flows showed that a large number of foreigners used Russian territory as a transit area on their way to the developed western European countries for economic reasons. Many of them registered as asylum-seekers with UNHCR's Moscow office, but failed to notify the Russian migration authorities and obtain legal status in the country. In addition, there was a serious problem with displaced persons, because, if they opted for Russian nationality, they forfeited the right to international protection. The Russian Federation was having to take sole responsibility for protecting the rights of displaced persons, who now numbered 5 million. Those problems were being addressed as part of the Programme of Action of the CIS Conference and the Russian Federation therefore supported its extension beyond the year 2000 and appealed for wider support from donors and international organizations.

68. The Russian Federation welcomed UNHCR's activities in various conflict zones around the world, but pointed out that humanitarian assistance must of necessity go hand in hand with political efforts to resolve conflicts. It was firmly against the politicization of the activities of humanitarian agencies and urged UNHCR to maintain a neutral position in all circumstances, in accordance with its status. Lastly, donor attention to crises in certain regions must not adversely affect the victims of conflicts in other regions.

69. Mr. BENJELLOUN-TOUIMI (Morocco) said that the number of refugees was continually increasing, yet funds were frequently insufficient to implement relief programmes. Partnerships between UNHCR, States and international organizations could therefore be the key to effective action to help refugees. Moreover, the statutes of UNHCR stated clearly that, although it was the only world institution with responsibility for the refugee problem, it could enter into partnerships with other international actors.

70. His delegation was aware of the vital contribution made by NGOs in the field of humanitarian aid; it was important that partnerships between NGOs and UNHCR should develop

in a spirit of transparency and good order. A number of NGOs were taking uncoordinated initiatives on the basis of an imagined partnership with UNHCR. Such actions could tarnish the image of an organization that was beyond reproach and had always carried out its mission on behalf of refugees courageously and selflessly. It was vital to encourage and strengthen partnership between UNHCR and States, since States possessed the expertise and logistical and other vital resources to make a significant contribution to UNHCR's activities. UNHCR was, however, right to point out that its obligation to maintain at all times its position as an impartial and neutral humanitarian actor might in some cases work against partnership. His delegation believed that that was a crucial point, since UNHCR's credibility, prestige and power lay in its impartiality. Necessary though they might be, partnerships should in no way lead to changes in the humanitarian and political nature of an organization whose action deserved the respect and support of the entire international community.

71. The suffering of millions of refugees in other regions of the world should not distract from the humanitarian tragedies taking place in Africa - Sierra Leone, for example - which UNHCR was trying to deal with using ever dwindling financial resources. It was important for donor countries to address the situation as soon as possible, since all refugees warranted equal attention. With regard to Western Sahara, Morocco confirmed its support for the United Nations implementation plan and hoped that the referendum process would be carried out in full respect for the principles of fairness and equity and in accordance with the established timetable. Morocco also urged UNHCR to continue its intensive preparations for the repatriation of the refugees, in accordance with its mandate under the implementation plan. The Moroccan Government, for its part, had agreed in principle to the proposed confidence-building measures and hoped that UNHCR would soon take the decisions required to begin implementation.

72. Father BLUME (Holy See) said that, although physical safety was a major component of refugee protection, there were a number of others that were equally important, including the social fabric and political will of the host countries. Protection in every sense therefore required partnership and the coordination of many individuals and organizations. It was clear that, in Kosovo, for example, without the presence and coordination of UNHCR as lead agency, the humanitarian crisis would have been even more serious. It was important to note, however, that refugees and displaced persons, especially those most removed from the attention of the international media, could easily be ignored when protection was selective and driven by factors other than the promotion of the dignity of all people. Pope John Paul II had recently recalled that the minimum of protection of the dignity of every human being, guaranteed by international humanitarian law, was too often violated in the name of military or political necessities, which must never have priority over the value of the human person.

73. UNHCR could clearly not solve all the problems alone. Many partnerships needed to be forged or strengthened in order to resolve the political problems that made thousands of innocent people very vulnerable. Protection depended on the rule of law, so it was necessary to restore the rule of law before anarchy took over, particularly in countries emerging from conflict. The role of religious communities in the cultural renewal of such societies must not be underestimated. It was also necessary, in the context of partnership, to revise the restrictive

implementation of international conventions on refugee protection, to speed up refugee status determination procedures and to eliminate the detention of asylum-seekers and refugees except in exceptional cases.

74. Lastly, his delegation was convinced that prevention was the best protection. It was therefore essential that human rights violations, which were the chief cause of crises and refugee flows, should be condemned by the international community and that economic and political goals should never be accorded greater importance than the human person. That was the way to produce a world without refugees.

The meeting rose at 6 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.536
12 October 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fiftieth session

SUMMARY RECORD OF THE 536th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 5 October 1999, at 10 a.m.

Chairman: Mr. AL KHORRAM (Vice-Chairman) (Islamic Republic of Iran)

CONTENTS

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.99-04581 (E)

In the absence of Mr. Pérez-Hernández (Spain), Mr. Al Khorram (Islamic Republic of Iran), Vice-Chairman, took the Chair.

The meeting was called to order at 10.15 a.m.

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (agenda item 4) (continued) (A/AC.96/923)

1. Ms. ANDERSSON (Sweden), associating her delegation with the earlier statement made by Finland on behalf of the European Union, said that untold suffering had been inflicted on displaced persons because they were not adequately protected under international law. Her Government was concerned at continuing reports of violence against refugees in East Timor. The violation of the recently agreed principles for a peaceful settlement in Afghanistan was also alarming. While acknowledging the long-standing hospitality of the Islamic Republic of Iran in hosting one of the largest single refugee populations, her delegation was disturbed by reports of continuing deportations of Afghan refugees to areas where their safety could not be guaranteed. Another refugee emergency was currently unfolding in Chechnya and Sweden welcomed the fact that the Office of the High Commissioner for Refugees (UNHCR) had been able to send relief convoys to the area.

2. Humanitarian action and protection were inseparable. Only by granting uprooted people access to safe and impartial protection could the international community comply with its universal commitment to human dignity. The authority of UNHCR stemmed from effective partnership with Governments, which should endeavour to promote an international climate of compliance. Partnership for the promotion of protection and security had two facets, namely, advocacy among States in cooperation with UNHCR for further improvements in the refugee regime, and technical assistance to countries unable to meet necessary safety guarantees. UNHCR's "Reach Out" programme was an example of an initiative to promote broader dissemination of protection principles.

3. Irregular armed groups posed a particular challenge because they had the potential to cause serious threats to the security of refugees, host communities and whole regions. Closer cooperation between UNHCR and the International Committee of the Red Cross (ICRC) would be an appropriate way of addressing the problem. Moreover, Sweden had provided police officers to enhance security in refugee camps in the Former Yugoslav Republic of Macedonia and the United Republic of Tanzania. The lessons learned from such deployments should be analysed carefully. The time was also ripe to give consideration to the establishment of a peacekeeping presence to ensure that refugee camps were free from infiltration by armed elements. It was unrealistic to expect UNHCR to ensure security and preserve the strictly civilian character of refugee settlements infested by armed groups. Improved refugee registration would go some way towards alleviating the problem.

4. It was becoming increasingly necessary to invest in a variety of security mechanisms such as staff training, hiring local police, outposting security officers and taking precautions with regard to transport and staff accommodation. UNHCR's donor partners should be more generous in providing

adequate and predictable funding for such initiatives and the higher operational costs should be integrated into UNHCR's reporting in a transparent manner.

5. Other areas of interest and concern to her Government were UNHCR's partnership with non-governmental organizations (NGOs), the specific problems facing refugee women and children and internally displaced persons and forward planning for the management of large-scale operations in complex cooperation with diverse partners.

6. Protection was the backbone of the High Commissioner's mandate, yet it was less visible than relief and therefore ran the risk of being marginalized in financial terms. Sweden strongly endorsed the budget reform of UNHCR; such reform would create greater transparency in resource allocation, provide a better overview of priorities and establish the necessary flexibility for adequate response. UNHCR should also give credit to its partners, both refugee host countries and donors. It was vital that partnership should be made more visible.

7. Mr. HARAGUCHI (Japan) said that peace-building in post-conflict situations included human rights protection, the restoration of security, demobilization and political and economic reconstruction. If any of those elements was lacking, conflict would resume. The partnership of various actors outside the sphere of humanitarian operations was therefore vital for refugee protection. Moreover, complementary relationships between various humanitarian organizations should be developed in order to minimize duplication and accidental oversights.

8. The "Brookings Process" initiated by UNHCR and the World Bank was an attempt to bridge the gap between humanitarian emergency relief and long-term development. Japan strongly endorsed the process and intended to participate in it actively; his Government would also like to see further enhancement of the cooperative relationship between UNHCR and other agencies.

9. A spirit of partnership with host countries was also vital. Recognizing the heavy financial burdens created by massive refugee inflows, Japan had announced its intention to allocate $60 million to Albania and the Former Yugoslav Republic of Macedonia. His Government called on the international community to share the economic and social burdens of refugee host countries. NGOs also had an essential role to play in partnership efforts.

10. Japan supported the "ladder of options" concept of refugee camp security currently being discussed by the Secretary-General, UNHCR and the Department of Peacekeeping Operations (DPKO) and hoped that it would result in effective measures. The safety of humanitarian workers was also a key area of concern. His delegation strongly encouraged all Governments to accede to the Convention on the Safety of United Nations and Associated Personnel. Japan had also contributed $1 million for the security training of personnel.

11. Finally, his Government was pleased to announce its latest financial contribution of $27.3 million for the alleviation of refugee crises in the Great Lakes region of Africa, the Horn of Africa, Sierra Leone, Liberia, the Caucasus and Central Asia.

12. Mr. QIAO Zonghuai (China) said that, although UNHCR and its partners had dealt successfully with a number of refugee crises in the past year, the situation in certain regions of the world remained grim. In the Balkans, the recent humanitarian disaster had been exacerbated by the belligerence of the North Atlantic Treaty Organization (NATO).

13. The concept of partnership involved cooperation and burden-sharing in equal measure. Developed countries had a responsibility to contribute adequate funds. Partnership also implied a two-way relationship between refugees and asylum countries. Asylum countries should fully respect refugees' rights and create the conditions for them to lead normal lives, while, in return, refugees should abide by the laws of asylum countries. It was also incumbent on developed countries to waive highly restrictive asylum policies and accept more refugees for resettlement. Furthermore, all refugees should be treated equally; double standards or bias were unacceptable.

14. More efforts should be made to address the root causes of refugee problems. Ethnic strife, territorial disputes and external intervention had all triggered refugee outflows in the 1990s and mass exoduses had destabilized entire regions. To avoid such disasters, Governments must adhere to the principles of equal sovereignty, mutual respect, non-interference in domestic affairs and peaceful settlement of disputes. Countries of origin should also take responsibility for dealing with their own refugee problems. When political and economic conditions permitted, they should take back refugees and encourage their reintegration into society.

15. For its part, the Chinese Government had taken and would continue to take measures to resolve the problem of the 280,000 Indo-Chinese refugees currently in China, whether through voluntary return, repatriation pursuant to negotiations with the country of origin or naturalization.

16. Mr. SO Kam Shing (China), speaking as the representative of the Hong Kong Special Administrative Region, said it was well known that Hong Kong was home to a number of Vietnamese refugees. Over the years, their numbers had steadily declined as a result of successful asylum, repatriation and resettlement programmes; currently, there were just 970 refugees and 580 migrants in Hong Kong. Past success did not mean, however, that the task of resettlement was completed and UNHCR still had a valuable and vital role to play in the Special Administrative Region.

17. Given Hong Kong's extraordinarily high population density, the Hong Kong Government still hoped to resettle most of the remaining refugees overseas. He appealed to the international community to settle the outstanding amount of $150 million which UNHCR had advanced for the care and maintenance of the Vietnamese migrants and to reconsider the cases of the remaining refugees generously and sympathetically.

18. Mrs. TAGLIAVINI (Switzerland) said her country considered that partnership ought to improve the quality of refugee protection, enable UNHCR to implement, and secure greater respect for, its mandate, increase the responsibility of States and draw Governments' attention to their fundamental duty to protect refugees. UNHCR was thus an essential actor in the phases of prevention, emergency assistance and rehabilitation.

19. In the preventive phase, the main responsibility of States was to guarantee their nationals respect for the law. Dialogue between UNHCR and States had to be encouraged by the international community because UNHCR had an important role to play in collecting information and warning Governments about the possibility of large-scale population movements. To that end, UNHCR should establish a partnership with other actors such as the Office of the United Nations High Commissioner for Human Rights, OSCE and national and international non-governmental organizations specializing in human rights. At the same time, its readiness for emergency action had to be constantly reviewed and adjusted to deal with potential threats. One such partnership between UNHCR, the International Organization for Migration and several Central Asian States involved in the CIS Conference follow-up process was helping to improve the protection of asylum-seekers at the national and regional levels.

20. In emergencies, partnership had to be framed by a common strategy where the specific mandates of all humanitarian actors could be turned to good account, since unhealthy competition among them obviously reduced the efficiency of any operation.

21. Rapid mobilization might also require military support for humanitarian action, but such support must not encroach on the protection mandate of civilian humanitarian organizations and could be considered only in certain fields.

22. In order to prevent too many actors from overcrowding operations in emergency situations, a code of conduct should be adopted along the lines of that of the International Red Cross and Red Crescent Movement and NGOs during emergency relief operations. Her country believed that the protection of internally displaced persons should be based on the mandate entrusted to the International Committee of the Red Cross, by the Geneva Conventions.

23. In the next phase of an emergency situation, UNHCR should be joined by other competent actors with specific mandates so that it could gradually withdraw from operations and hand over responsibility to development agencies in cooperation with human rights organizations and representatives of civil society, which were key partners in repatriation operations and could help lay the foundations for economic development and the rule of law.

24. Training was essential if humanitarian action was to have an impact and be effective. In view of its expert knowledge, UNHCR must actively contribute to efforts to promote basic training so that operating methods could be shared with other organizations. Joint courses on natural disaster management had proved their worth during the recent earthquakes in Turkey, Greece and Taiwan and shown that such training could considerably heighten the effectiveness of humanitarian action in complex emergency situations.

25. Switzerland welcomed the recent debates in the Security Council on the protection of civilians in armed conflict and would continue to support UNHCR's unflagging efforts on behalf of refugees.

26. Mr. MGEJA (Tanzania) said that, because his country had had first-hand experience of the complications arising from the infiltration of armed

elements in refugee camps, it welcomed the debate on strengthening partnerships in order to provide security and agreed that partnerships connoted a shared objective and the desire to join forces to achieve a particular goal. Co-responsibility included a proportional sharing of the costs and benefits accruing from partnership, since refugees were an international responsibility which had to be faced by the community of nations. Partnerships were necessary because it was impossible for all States and actors to play the same role and they were a way of tapping each organization's expertise.

27. States were the primary custodians of the protection regime, but, unfortunately, developing countries continued to shoulder a disproportionate share of the burden of welcoming refugees and sharing their meagre resources with them. His country had been hosting refugees for over 40 years and had never imposed quota restrictions on them.

28. The local population in countries of asylum was a crucial partner in the provision of protection, but the prolonged presence of refugees in areas where life was a constant struggle unleashed tensions which put Governments under pressure to reconsider their commitment to the granting of asylum, especially when there was a perception that the international community was not exerting enough influence on refugee-producing countries to put their houses in order.

29. As it had become increasingly difficult for his country to deal with refugees without addressing security concerns, it had requested assistance from the international community in order to maintain the civilian character of refugee camps through a new improved security package.

30. However, double standards were being applied. There was an outpouring of assistance to refugees in some parts of the world, while, strangely enough, other regions with similar problems received less attention. UNHCR's restricted mandate was also a limitation on partnerships. For example, conflict resolution lay outside that mandate, yet conflicts were resulting in the infiltration of refugee camps by armed elements. That realization had prompted the countries of the Great Lakes region to propose the establishment of a mechanism to separate armed groups from the civilian population and they therefore welcomed the Secretary-General's recommendation that an international mechanism should be introduced to safeguard security and neutrality in refugee camps.

31. International interest and assistance for prolonged refugee crises were short-lived, however, and, once media attention had shifted, refugee outflows were forgotten and the problem was left to the hapless countries of asylum.

32. Although, technically, UNHCR's mandate did not extend beyond protection and repatriation, in practice, there was a strong link between successful repatriation, sound resettlement and reconstruction policy. It was therefore necessary to examine how UNHCR's role in that respect could be expanded.

33. While local integration was a solution to some refugee problems, it was not feasible if the numbers involved were too large. Voluntary repatriation therefore seemed to be the best solution and there might be more room for third-country resettlement if the more affluent members of the international

community were to apply more flexible refugee acceptance quotas. At the same time, refugees were under an obligation to conduct themselves in a manner consistent with their status and should not terrorize their hosts or engage in criminal or political activities.

34. There was also a need to address the root causes of population displacement in Africa and elsewhere in the world. The phenomenon of economic refugees required examination and its implications had to be fully assessed.

35. If partnerships were properly built, the actors concerned would be more willing to provide asylum and receive more refugees.

36. Mr. MORJANE (Tunisia) said that the choice of the annual theme was judicious and well-timed, as it was set against a backdrop where conflicts were causing such large-scale movements of refugees that it was virtually impossible for a single humanitarian actor to cope with the complexity of situations and ensure refugee protection. Other international bodies therefore had to join in a partnership with UNHCR. The report by the Secretariat in document A/AC.96/923 would serve as a useful basis for the discussion of the theme.

37. Since refugee protection and its coordination had been discussed at length in the past, partnership must now be seen as a means of avoiding duplication of effort and the wastage of resources. The wide range of partnerships established by UNHCR was valuable, as they included Governments, representatives of civil society and refugees themselves. In that context, his delegation welcomed the newly concluded partnership with the Organization of African Unity.

38. For Tunisia, the PARinAC process was the finest example of a practical partnership between NGOs and UNHCR and it had to be revitalized and adapted to new threats to the security of refugees. UNHCR partnerships with private industry might also offer solutions to specific, delicate problems. His delegation considered that UNHCR should try to establish partnerships that focused more on the international community's current priorities and concerns. UNHCR's impartiality and neutrality might, however, be a stumbling block to the establishment of partnerships for the solution of the growing number of problems which also had a political and military dimension. It therefore had to interpret its mandate broadly and flexibly.

39. Since the safety of refugees was an integral part of overall refugee protection and UNHCR was poorly equipped to deal with threats to refugees and the lack of security in camps, partnership was essential in that regard, especially as humanitarian personnel had become the target of attacks and kidnapping.

40. The international community must not lose interest in the humanitarian problems stemming from never-ending wars and UNHCR's fiftieth anniversary should be an opportunity to focus serious attention on that question.

41. Mr. BRYLLE (Denmark) said it was clear that there were core tasks which had to remain the exclusive responsibility of UNHCR and that it was absolutely necessary for UNHCR to make the building of partnerships an integral element of its strategy to meet current challenges.

42. The Danish Government fully supported efforts to mobilize the resources of UNHCR partners through the PARinAC process. Since 1991, the Danish Refugee Council had been closely cooperating with UNHCR on the basis of a Memorandum of Understanding designed to support and strengthen the UNHCR response mechanism in emergencies. The Danish Emergency Management Agency had likewise assisted UNHCR on several occasions.

43. Denmark took a very strong interest in the security of relief personnel, which was frequently at risk, and strongly deplored the increasing disregard for human life in conflicts.

44. As a partner of UNHCR, the Danish Government had channelled a significant share of its humanitarian aid budget to the organization's operations, but it attached great importance to a fairer distribution of the burden of financing UNHCR, so that financial support would reflect a country's ability to contribute.

45. Kosovo had represented a major challenge for UNHCR but, despite partly justified initial criticism, UNHCR had overcome the difficulties. Following the return of most of the refugees, UNHCR still had a decisive role to play in Kosovo. Denmark itself would be placing greater emphasis on support for reconstruction in the western Balkans and expected to provide some US$ 120 million in 2000.

46. With UNHCR's new budget format, it was now even more important to strengthen evaluation activities as that would enable UNHCR to demonstrate the quality and efficiency of its operations. It was vital for UNHCR to continue to receive sufficient unearmarked resources; staff allocations should, if necessary, be supplemented by secondments from member States.

47. Mr. DEMBRI (Algeria) said that outbreaks of armed conflicts and the seriousness of natural disasters in the past year had exposed the limitations of the humanitarian intervention system and the unequal treatment accorded to different humanitarian crises by the international community. Human suffering was unacceptable wherever it occurred. It was more important than ever for all those involved in protection, assistance, prevention and the search for lasting solutions to understand their roles and responsibilities. He congratulated UNHCR on its contribution to the debate on partnership - the cornerstone of the entire system of humanitarian intervention.

48. While various forms of partnership were essential in order to cope with the complexities of refugee situations, partnership should confine itself to humanitarian issues and States and NGOs must therefore choose their partners with that in mind. In its role as coordinator, UNHCR established links with partners at various levels and of varying kinds. That showed humanitarian action had ceased to be the domain of humanitarian specialists alone and other institutional actors could no longer remain uninvolved.

49. The alarming statistics produced by UNHCR reflected not only the urgent need to develop sustainable means of intervention and mobilization, but also the fact that emergency situations were becoming increasingly numerous. The refugee problem had many dimensions and required a concerted, coordinated approach. In an ever more interdependent world, partnership was central,

particularly in the key areas of international protection and security; effectiveness demanded coherence and the setting of specific goals, if host, transit and resettlement countries were to see the exercise as a collective act of solidarity rather than purely in terms of duties and obligations.

50. Algeria would like the system of protection and security to be strengthened through partnership and national capacity-building. In the area of asylum, partnership should focus on the processing of applications for refugee status in accordance with international and regional standards.

51. Algeria's own experience of partnership operations included work with UNHCR, WFP, UNDP and the International Fund for Agricultural Development (IFAD), as well as the Governments concerned, in arranging voluntary repatriation for displaced persons from Mali and Niger and in assisting refugees from Western Sahara. Algeria's cooperation with UNHCR in Western Sahara had been particularly constructive. Nevertheless, the draft protocol governing planning for refugee repatriation and the draft plan of action for measures aimed at creating confidence and trust within the Tindouf refugee camps and the Territory of Western Sahara, both of which had been prepared by UNHCR, were still at the negotiation stage and serious political obstacles still stood in the way of significant progress with the United Nations implementation plan for Western Sahara.

52. Mr. KIDWAI (Pakistan) said that, with diminishing resources, UNHCR could no longer be expected to deal with refugee crises alone. The question of partnership, in the context of financial and physical burden-sharing, was therefore of great importance.

53. Pakistan itself was looking to partnership with the international community and NGOs, based on the principle of burden-sharing, in order to ensure the protection and security of approximately 1.5 million Afghan refugees who were still in Pakistan. International assistance for Afghan refugees had dried up, leaving Pakistan to cope largely on its own. The task had been made formidable by the discontinuation of WFP food assistance and the phasing out of UNHCR's care and maintenance programme. Since their basic needs were not being adequately catered for, large numbers of refugees were moving out of the camps to urban centres in search of work, thereby creating administrative, economic, security and social problems and altering the demographic balance. However, although it was true that the patience of local people had been stretched, his delegation did not agree with the UNHCR's 1999 Mid-Year Progress Report, which gave an impression of a pattern of fear and intimidation. Pakistan was making every effort to ensure the dignity, protection and security of Afghan refugees.

54. The economic cost to Pakistan of hosting the Afghan refugees had been incalculable. The infrastructure had been seriously damaged and entire forests had disappeared, while education and health were under severe strain. Even repatriated Afghan refugees returned to Pakistan in search of work. Pakistan had treated the Afghan refugees in exemplary fashion, throughout their long stay, as UNHCR had acknowledged. But local integration was not an option for such large numbers. Sustainable refugee returns could be guaranteed, however, only if the international community helped in rebuilding those parts of Afghanistan where peace had been restored.

55. To be successful, partnerships must take account of the concerns of host developing countries. He made the following recommendations for ensuring the continuing protection of the Afghan refugees in Pakistan, involving the international community, UNHCR, NGOs and the Government of Pakistan: UNHCR should attract resources for the development of income-generating projects and the reconstruction of peaceful areas inside Afghanistan; UNHCR and WFP should resume their assistance for Afghan refugees in Pakistan; the international community must share the burden, in both material and human terms; grass-roots NGOs, which had been doing commendable work for the refugees and in Afghanistan itself, should receive financial support from the international community for their work in delivering food, health care, education and drinking water, and in forestry.

56. Mr. AMORIM (Brazil) said that UNHCR must maintain its non-partisan, impartial status, but should not shy away from attempting to come to grips with new security challenges that intersected with humanitarian activity. In dialogue with the Security Council, it should aim at mutual reinforcement and not risk transforming the Council into a humanitarian agency or UNHCR into a political body; his delegation therefore believed that the Security Council's regular briefings by UNHCR should be public. In the same vein, UNHCR's link with the Economic and Social Council deserved to be valued and highlighted in the context of post-conflict recovery and peace-building.

57. Of special relevance to the Committee's discussions was the Secretary-General's emphasis on the need for consistent responses to emergencies throughout the world and for clear, multilaterally agreed rules governing those responses. Significant developments had been taking place in Latin America, for example, notably with regard to Guatemalan refugees in Mexico and Brazil's own arrangements for refugees, in the shape of the new National Commission for Refugees (CONARE), partnerships with civil society and the recent signing by the Brazilian Government and UNHCR of a framework agreement for refugee resettlement, in preparation for a pilot programme for refugees from the former Yugoslavia. Brazil also supported Colombian and Venezuelan initiatives, and UNHCR involvement, in dealing with Colombian refugees.

58. Against a background of crises in Guinea-Bissau, Sierra Leone and Angola, it was essential that UNHCR's partnerships with OAU and SADC should be strengthened in order to produce results. Greater awareness of the acute problems being faced in Africa was, however, equally important in order to boost the provision of financial and material resources.

59. In the context of Kosovo, it was particularly significant that, under Chapter VII of the United Nations Charter, the use of military force on humanitarian grounds must be reserved for extreme situations, lest it affect the impartiality of humanitarian workers. When agencies such as UNHCR acted in partnership with Security Council-authorized military operations, coordination was paramount. That was not the case, however, of operations for which consent had not been given, since humanitarian interventions under military protection would not be seen by all parties as neutral. A particularly sensitive question was whether impartial humanitarian agencies could operate satisfactorily in partnership with military alliances, especially where there was no clear Security Council mandate.

60. Brazil was profoundly disturbed by the grave situation in East Timor. His delegation supported the objectives of the High Commissioner's operational concept, particularly the aim of finding durable solutions for those in refugee-like situations outside East Timor, including voluntary return, local settlement or relocation, based on freedom of choice. Vigilance would be required to ensure that those victimized for exercising their political rights were not victimized once more as they sought to rebuild their future. Brazil would remain engaged in United Nations efforts to assist East Timor's transition to independence in accordance with the will of its people.

61. He paid tribute to UNHCR's staff, noting that it was those such as UNHCR, with a consistent humanitarian record, who would have to ensure that international action conformed to the legal and philosophical tenets governing collective humanitarian responsibility.

62. Mr. NCHOLU (Lesotho) said that the decrease in the number of refugees in Lesotho over the past few years did not mean that his country had closed its doors to new asylum-seekers and refugees. As a third world country facing economic development problems, Lesotho wholeheartedly supported the theme of "strengthening partnership to ensure protection, also in relation to security". Non-governmental organizations had been the first to provide assistance to refugees in Lesotho in the early 1960s, negotiating with the Government on refugee protection issues, as well as providing material assistance. In the light of that experience, his country, which had since ratified the relevant United Nations and OAU conventions, attached particular importance to strengthening partnership to ensure protection and hoped that the consideration of that theme would lead to closer cooperation and understanding, thereby promoting the welfare of all of mankind.

63. Mr. GOAGOSEB (Namibia) said that the process of strengthening partnership, already begun in the SADC region under the Memorandum of Understanding signed in 1996, could not be dissociated from the concept of burden-sharing and the question of countries of first asylum. The economic and social consequences of hosting refugees were particularly serious for developing countries whose resources were not sufficient to sustain their own nationals, not to mention unplanned refugee influxes. Namibia was one of many African countries which were, despite their fragile economies and weak resource bases, hosting large numbers of refugees. Increased international assistance was therefore of the essence.

64. Namibia had acceded to all relevant international instruments and was pursuing an open-door policy which attracted asylum-seekers from as far away as Liberia. It was grateful to the High Commissioner and her staff for their splendid efforts and assured UNHCR of its continuing support. It also appealed to the international community to respond promptly to ongoing refugee-producing situations in Africa, particularly in Angola.

65. Mr. de JONGE (Council of Europe), announcing that a memorandum of understanding updating the 1952 Cooperation Agreement between UNHCR and the Council of Europe had been signed on 4 October 1999, said that the establishment of a UNHCR office in Strasbourg was to be welcomed as a concrete step to facilitating day-to-day consultation and coordination on a wide range of issues of common interest.

66. At its recent part-session in September 1999, the Parliamentary Assembly of the Council of Europe had elected the first European Commissioner on Human Rights, Mr. Alvaro Gil-Robles, whose main task would be to promote human rights protection in the Council's 41 member States. The excellent working relations established both at headquarters and in the field between UNHCR and the Parliamentary Assembly's Committee on Migration, Refugees and Demography enabled parliamentarians to obtain first-hand information on refugee problems in Europe with a view to formulating policy measures and had proved particularly useful during the Assembly's recent fact-finding missions to Croatia, Albania, the Former Yugoslav Republic of Macedonia and Kosovo. In that connection, he noted that, on 23 September 1999, the Parliamentary Assembly had adopted recommendation No. 1424 on the evaluation of the humanitarian situation in the Federal Republic of Yugoslavia, particularly in Kosovo and Montenegro, in which it had expressed deep appreciation for the efficiency and devotion of UNHCR and other agencies involved in the Kosovo refugee crisis and urged all member States to contribute generously to humanitarian efforts in the region.

67. At the intergovernmental level, the Council of Europe had set up a programme for the stability of south eastern Europe and was contributing actively to the work of the United Nations Mission in Kosovo (UNMIK). The Council's offices in Pristina, Sarajevo and Tirana were cooperating closely with UNHCR and other international organizations.

68. The Council's Committee of Ministers, had recently adopted legal texts on a number of subjects relating to asylum and refugee protection, including guidelines on the application of the "safe third country" concept; the right to an effective remedy by rejected asylum-seekers against decisions on expulsion; the training of officials coming into contact with asylum-seekers, in particular at border points; and conclusions on the treatment of persons having fled from Kosovo. The Council was also working in close cooperation with UNHCR on issues of temporary protection, family reunion for refugees and other persons in need of international protection and the situation of refugee women in Europe. It was also taking an active part in the follow-up process initiated in 1996 by a conference to address the problems of refugees, displaced persons and returnees in the countries of the Commonwealth of Independent States and neighbouring States. With regard to questions of nationality, fruitful cooperation with UNHCR had taken place in connection with the formulation of essential principles such as the prevention of statelessness, non-discrimination and respect for the rights of persons habitually resident in the territories concerned.

69. Noting that the fiftieth anniversary of UNHCR would coincide with that of the European Convention on Human Rights, he drew attention to the importance of the case law of the European Court of Human Rights, which had tended to focus increasingly on refugee issues in recent years. The relevant decisions of the Court should be taken into account by States when drafting legislation on such issues.

70. Mr. KANANURA (Rwanda), expressing his Government's appreciation of the support it had received from UNHCR and the High Commissioner personally for its reconstruction and national reconciliation efforts, said that the funds earmarked for programmes for the reintegration of returnees and displaced

persons fell considerably short of what was required, especially for the construction of shelters and infrastructure such as schools, hospitals and drinking water supply.

71. Rwanda, which had been devastated by war, genocide and massacres in 1994, had seen over 3 million refugees return in the past five years. Hundreds of thousands of persons inside the country were still living in the most precarious conditions. He appealed once again for the international community's continued support for programmes for the social and economic reintegration of all those persons; UNHCR's withdrawal from such activities had left a void and enormous needs still to be met. Additional resources were required to support Rwanda's programmes for the repatriation of tens of thousands of Rwandan refugees still living abroad, particularly in neighbouring countries. Rwanda also urgently needed international assistance to cope with the 40,000 or so refugees it was hosting from Burundi and the Democratic Republic of the Congo pending their repatriation once the situation in those countries had been stabilized. He welcomed the international community's efforts to resolve internal and inter-State conflicts through peaceful negotiations and appealed to those countries which still had Rwandan refugees on their soil to cooperate with Rwanda's Government of National Unity in repatriating them and in disarming the Interahamwe militias and other groups still intent on using innocent refugees for their own genocidal purposes.

The meeting rose at 12.45 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.537
21 December 1999

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fiftieth session

SUMMARY RECORD OF THE 537th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 5 October 1999, at 3 p.m.

Chairman: Mr. PEREZ-HERNANDEZ (Spain)

CONTENTS

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.99-04585 (E)

The meeting was called to order at 3.10 p.m.

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (A/AC.96/923) (continued)

1. Mrs. ROBINSON (United Nations High Commissioner for Human Rights) said that UNHCR's aims and work were closely linked with those of the Office of the United Nations High Commissioner for Human Rights (UNHCHR). Refugee protection must be considered within the broader framework of human rights, violations of which always lay behind forced migration, refugee outflows and internal displacement. The recent atrocities in Kosovo and East Timor were good illustrations of that and the two organizations should seek to ensure that action was taken at an early stage to prevent human rights violations resulting in such crises.

2. Prevention was vital, both to avert humanitarian disaster and to prevent a critical situation deteriorating further. Prevention was by no means a new concept, yet it had not always received sufficient attention or resources - an omission that had often had dire consequences. In East Timor, for example, steps could undoubtedly have been taken to prevent a campaign of terror being waged against a people who had exercised their right to self-determination. In Kosovo, nothing had been done despite 10 years of warnings from observers on the ground and UNHCR and other aid organizations had been left to deal alone with a massive humanitarian disaster. In Sierra Leone, the civilian population, and in particular women and children, had been the chief victims of a destructive and murderous campaign of terror. Yet the international community had paid little attention and aid to Sierra Leone had been only a small fraction of the resources spent on the reconstruction of Kosovo. That would appear to bear out those who criticized the international community for favouring certain regions over others.

3. Partnership - the annual theme of the current session - was the key to lasting solutions. Partnership between Governments, the United Nations, non-governmental organizations (NGOs) and other civil society actors was a prerequisite for genuine human rights protection.

4. Preventive strategies must address the full range of economic, social and cultural rights, the rule of law, justice and reconciliation and should aim to put an end to impunity for the perpetrators of human rights violations. That was a collective responsibility and it was encouraging to note that some Governments were willing to engage the United Nations and NGOs in efforts to strengthen human rights protection at the national level. Moreover, a human rights perspective had begun to be integrated into all United Nations activities: early-warning systems, humanitarian intervention, peacekeeping operations and development cooperation.

5. While UNHCR and UNHCHR might have different roles, they were united in their task of protecting individuals and their rights. That was the principle behind their cooperation in the protection of displaced persons in Colombia, for example, and in seeking solutions to minority problems in Kosovo. She hoped that that cooperation would continue and would be extended into new fields. The member States of the Executive Committee had a responsibility to ensure that the ideals of the Charter of the United Nations and of the Universal Declaration of Human Rights were realized in more than theory. It was the duty of the entire international community to support the work being done to protect refugees and to find effective ways of preventing a

recurrence of tragedies such as those it had recently witnessed. Lastly, she expressed her admiration for the dedication and professionalism shown by UNHCR, under Mrs. Ogata's direction, in bringing assistance and relief to refugees.

6. Mr. BUTIME (Uganda) said that the complex refugee situation in the world today required new strategies. The breakdown of nations, human rights abuses, ethnic conflicts and civil strife where the distinction between soldiers and civilians had disappeared were causing mass population displacements to which no continent was any longer immune. The Kosovo crisis had, however, clearly shown that, given the political will, the international community had the capacity to cope with such situations. Similar attention needed to be paid, however, to other equally grave situations, such as those in Sierra Leone and Guinea. The plight of refugees should be a common concern, irrespective of nationality, race or country of origin. His delegation hoped that the Executive Committee would reaffirm that position.

7. Africa today hosted more than 6 million refugees. The economic and social impact of large refugee populations on least developed countries such as Uganda were enormous. Assistance to refugees should be integrated into national development programmes so that the local community could also benefit. Uganda therefore welcomed UNHCR's support for regional initiatives - the most recent being the Lusaka Agreement - to find lasting solutions to the Great Lakes region's problems. His Government was holding discussions with UNHCR on a strategy to ensure refugees' self-reliance and thereby their dignity. But the best solution to the refugee problem was still voluntary repatriation.

8. International protection was one of UNHCR's principal objectives and should be strictly observed by States. It was therefore regrettable that, out of xenophobia, certain States applied the 1951 Convention in a restrictive manner, so that many genuine refugees became the victims of the very system that was supposed to protect them. Similarly, the neutrality of refugee camps should be maintained and preventive measures adopted to mitigate the negative impact of refugee inflows. To that end, UNHCR, in partnership with the main development agencies and NGOs, should extend technical assistance to the Governments of host countries. UNHCR must also take into account the economic and social problems of host countries in its repatriation and reintegration programmes.

9. Mr. SUNGAR (Turkey) said that the classic definition of the refugee, as contained in article 1 of the 1951 Convention, was no longer applicable today. The post-cold war period had seen a radical change in the nature of armed conflicts, which were, rather, internal conflicts with external backing. In addition, globalization, by contributing to the breakdown in social protection and unemployment, gave rise to a strong sense of insecurity, which in turn caused an increase in the number of migrants, asylum-seekers and refugees. It was growing harder to distinguish between refugees fleeing persecution and violence and migrants in search of better economic opportunities. That confusion had reached such a pitch that even those who had violated the principles of the Charter of the United Nations could be granted refugee status - including terrorists. There was an urgent need, therefore, to review the principles governing refugee status determination and the exclusion provisions of the 1951 Convention in the light of present-day reality.

10. It was encouraging to note that there had been a steady decrease in the number of refugees during the past two years. There was no room for complacency, however, the Kosovo crisis having shown how suddenly refugee movements could begin. He commended UNHCR's performance during the Kosovo crisis, as illustrated by the humanitarian evacuation programme to which Turkey had made a significant contribution by taking in around 20,000 refugees in the early stages of the crisis. He hoped that the lessons learnt from Kosovo would be put to use in other regions. The complexity of the current international environment made partnership among the various actors of the international community more necessary than ever in finding lasting solutions to the problem of refugees and displaced persons. UNHCR must redouble its efforts to engage in constructive dialogue and forge close links of cooperation with all States on a non-selective basis and taking into account their legitimate concerns.

11. Mr. ALEMU (Ethiopia) said that the protection of refugees was an important principle of international law that should be scrupulously observed. Unfortunately, that was not always the case, for various reasons. One problem was the security implications of large refugee flows. Armed or criminal elements should never be accommodated in refugee camps. An effective screening mechanism should be developed, in collaboration with UNHCR, that would make it possible to identify armed elements and separate them from refugees. The international community should help host countries and UNHCR to reconcile the duty of protecting refugees with the legitimate security concerns of States.

12. Another problem was the fact that the presence of a large number of refugees aroused resentment within the population of host countries, heightened ethnic tensions and contributed to environmental damage and the impoverishment of the local economy. Once again, it was a question of reconciling the needs of innocent civilians fleeing from conflict and the legitimate concerns of their host communities. One way of doing so was to assist the local population while the refugees were there, as well as once they had left, particularly in terms of the reconstruction of damaged infrastructure and the restoration of the environment. Unfortunately, for various reasons, including what was known as donor fatigue, the response of the international community had been far from adequate and was in fact becoming a source of serious concern. The situation in Africa was a telling example. It was fortunate that the High Commissioner for Refugees had consistently spoken out with courage and dedication for African refugees, and his delegation expressed its deep gratitude.

13. Partnership should not be limited to crisis situations alone. Repatriation efforts often suffered from a lack of adequate preparation in order to create situations conducive to the return of refugees to their countries of origin in safety and dignity. Ethiopia's own experience in the repatriation of Somali refugees bore that out. Although some 74,000 refugees had already been repatriated, it had not been possible to complete the programme as planned because conditions in northern Somalia were not appropriate for the reintegration and resettlement of returnees. In the area of Ethiopia that had hosted refugees for a long time, the Government planned to carry out a rehabilitation programme, for which it would no doubt require assistance. His delegation hoped that UNHCR would play its traditional role as catalyst and that Ethiopia's partners would come to its aid.

14. Mr. LEPATAN (Philippines) said that the theme chosen for the fiftieth session of the Executive Committee was very timely. Given the complexity of refugee movements and the increasing displacement of population in all parts of the world, the importance of partnership could not be overestimated, since UNHCR could not on its own ensure the protection and safety of the approximately 21 million persons of concern to it. UNHCR must therefore work even more closely not only with its traditional partners, but also with new ones. Traditional partners - States, NGOs, ICRC, concerned United Nations agencies and refugees themselves - could help UNHCR improve its protection mandate. In addition, linkages with international and regional organizations, financial institutions, the private sector and even the military and police would bring added value to the comprehensive multilateral approach adopted in relation to the protection regime and security aspects.

15. Dynamic partnerships could also help in addressing the root causes of refugee flows, the advocacy of refugee rights, the enhancement of response capacities, the transition from relief to reconstruction and sustainable development and the provision of the required financial and material support. To that end, it would be necessary to ensure the required level of coordination if resources were not to be wasted and the problems mentioned by the High Commissioner, such as the risk of overcrowding of humanitarian space in high profile emergencies, humanitarian micromanagement or bilateralism and direct military involvement in humanitarian assistance, were to be faced. The Executive Committee and its Standing Committee should look into those problems in order to achieve a balanced division of labour, taking into account the mandates and capacities of all partners.

16. The protection of refugees, UNHCR's core mandate, had over the years become a more challenging task, partly as a result of gross violations of the institution of asylum and humanitarian principles and partly because of the growing security problems of refugees and humanitarian personnel. Although well-coordinated multilateral action by concerned parties was extremely valuable, it fell mainly to States to protect refugees. However, States' cooperation required a climate of confidence to be built by UNHCR and its partners, and that meant it was essential to maintain the non-political, impartial status of UNHCR and other humanitarian agencies.

17. His delegation took the opportunity to congratulate the High Commissioner for her efforts in that regard and for her concern to give equal attention to every refugee situation. He also pointed out that, in the Balkans, greater emphasis should be placed on reconciliation as a starting point for refugee repatriation. As an impartial, non-political humanitarian agency, UNHCR was in the best position to pursue such a strategy.

18. Recent crises, including those in Kosovo and East Timor, had shown that, given sufficient determination and political will, the international community was able to mobilize in order to respond to the challenges. He reaffirmed the Philippines' support for UNHCR, paying tribute to all the humanitarian workers who had lost their lives in the course of their duties and commending UNHCR staff for its dedication to the cause of millions of refugees.

19. Mr. AL AGHBASH (Sudan) said that refugees' problems were becoming more and more complex: every country, without exception, was experiencing difficulty in applying the provisions of the 1951 Convention and the 1967 Protocol when granting refugee status and

observing the principles of international protection. Sudan was determined to comply with all international and regional conventions by protecting refugees and providing them with decent living conditions. However, those instruments would have to be revised in order to take account of the many developments of the past 50 years. In that regard, his delegation referred to the declaration and recommendations adopted in December 1998 in Khartoum by the Organization of African Unity (OAU) Ministerial Meeting on Refugees, Returnees and Displaced Persons in Africa. He urged the international community to implement the principle of burden-sharing for refugee protection and security in order to support the most affected host countries.

20. With regard to the means of strengthening partnership, he was obliged to point out that the volume of assistance provided by donor countries was continually diminishing: the budget allocated to Sudan, for example, had fallen from its previous level of US$ 40 million to reach US$ 4.5 million in 1999, while the number of refugees had fallen by only 20 per cent. Refugees should enjoy not only legal protection, but also economic support, particularly as, according to recent studies, most refugees were a non-productive sector of the population; projects designed to help them should concentrate on developing their skills so that they could make a useful contribution to the host society and, on their return, to their own country. He could only deplore the tendency to apply double standards in humanitarian aid: aid levels differed from continent to continent and country to country; intervention should be based on objective criteria, yet aid to Africa was not commensurate with its needs.

21. Sudan would spare no effort to encourage the voluntary repatriation of hundreds of thousands of refugees who had been in the country for some 30 years and he urged UNHCR and the international community to place the issue at the top of its agenda. The refugees' stay had adversely affected Sudan's environment and natural resources and was putting increasing pressure on the infrastructure, especially in urban areas. UNHCR should also pay special attention to the protection and security of refugee children: he urged the Executive Committee to condemn the practice of pressing minors into wars and on to battlefields and to take action to return them to their families.

22. Sudanese refugees in neighbouring countries should also be given all necessary attention and be protected from armed attacks on their camps, in accordance with the UNHCR Executive Committee's recommendations in that regard and OAU's appeals. His Government wished to be able to make direct contact with such refugees in order to inform them of developments in Sudan and obtain information on their conditions: he therefore urged the international community to facilitate such initiatives in neighbouring countries.

23. Ms. ANDERSON (Ireland) said that the United Nations system was being severely tested by humanitarian challenges and that partnership and teamwork were essential in order to respond. There could be no distinction between political, security, humanitarian and human rights concerns. It was therefore of the utmost importance for the High Commissioner for Refugees to brief the Security Council regularly on key humanitarian concerns, so that the Council could keep that dimension fully in focus when formulating comprehensive approaches to conflict resolution.

24. Within the United Nations system, the partnership between humanitarian and human rights action also needed to be continually strengthened: the two agendas were tightly interwoven. The efforts being made in preparing for the forthcoming World Conference against Racism, for example, should have an impact on the welcome given to refugees in many countries. Gross violations of human rights such as the systematic expulsion of whole populations and representatives of the international community and the media - as had happened in Kosovo and East Timor - were also violations of humanitarian law. Accountability for such violations was not only a matter of justice, but also a necessary ingredient in the process of reconciliation and in prevention strategies: impunity would result in fresh violations and further refugee outflows.

25. As pointed out in paragraph 39 of document A/AC.96/923, the reinforcement of partnerships for protection could give rise to problems and tensions. UNHCR had to take account of the political and human rights context while maintaining its status as an impartial humanitarian actor. New challenges were arising in the partnership with NGOs, as had become evident in recent months, insofar as it was more difficult for UNHCR to exercise its coordination responsibilities when NGOs were in competition, however closely it might be working with them; the dilemma needed to be addressed frankly. And internal partnership within organizations themselves made it possible to learn from the various crises. She encouraged UNHCR to continue that learning process.

26. Lastly, she said she was pleased that the partnership between her own country and UNHCR was stronger than ever, since a UNHCR office had been opened in Dublin and Ireland's financial contribution continued to grow. Ireland was engaged in the crises in Kosovo and East Timor, but was also involved in UNHCR's efforts in various regions of Africa, to which it had also given humanitarian aid.

27. Mr. AZAD (Bangladesh) said that the choice of theme for the current session's debate was highly appropriate in view of the complex situations in Kosovo and East Timor and the growing risks faced by humanitarian personnel. A collective international response to humanitarian crises was now urgent.

28. Protection issues were central to UNHCR's mandate, but depended on States observing the principle of non-refoulement. Countries could not shoulder protection responsibilities on their own, particularly as many of those most affected by refugee flows were developing countries. In the absence of any established mechanism for burden-sharing and partnership, responses to refugee problems were largely governed by the media spotlight. Protracted refugee situations were pushed into the background and became the responsibility of the host country.

29. The issue of refugees was a particularly sensitive one for Bangladesh, remembering the exodus that had accompanied the country's emergence into independence and the two occasions when refugees had arrived from Myanmar. Their presence had placed severe strain on the infrastructure, the environment and the local population. He urged the Government of Myanmar to facilitate the return of those still remaining on Bangladeshi territory and UNHCR and the donor community to continue working in close partnership with Bangladesh, since the refugees were the responsibility of the international community.

30. Temporary asylum could not be anything more than an interim arrangement, for, if it was not, it could have an adverse effect on both refugees and the host country. Approaches that aimed to promote "refugee self-reliance" by creating opportunities for generating income required careful examination; they were no panacea. His delegation believed that local integration was not a viable solution in developing countries. Partnership efforts should be directed to enabling refugees to return home safely.

31. Bangladesh fully shared the view that UNHCR's performance depended on its cooperation with a wide range of partners. Such collaboration ranged from emergency humanitarian relief to long-term development cooperation. UNHCR could act as catalyst in partnership with development agencies and mobilize the resources and technical support necessary to mitigate the negative impact of a large refugee presence in developing countries. UNHCR should also work with human rights groups in order to defuse the social tensions and xenophobia to which refugees and asylum-seekers frequently fell prey. Coordination with UNHCHR was useful in that regard, along with coordination with peacekeeping mechanisms within the United Nations system. There was a need for coordinated efforts at the international level to take preventive measures to deal with the root causes of refugee flows. However, the neutrality of humanitarian activities must not be compromised and the mandates of the various organizations must not be crossed.

32. Mr. NEGROTTO CAMBIASO (Italy) said that the series of complex crises that had given rise to refugee flows in various parts of the world in the last few years had brought very diverse responses from the international community: fairly adequate in some cases and less so in others. Pressure generated in the field by an emergency should not deter the international community from strategic considerations; in that regard, there was every reason to welcome the elaboration of new concepts within UNHCR. The choice of theme for the current session of the Executive Committee related to protection and security and called for concrete commitment in order to obtain tangible results.

33. It was universally acknowledged that UNHCR's role had in many respects become more and more central in humanitarian intervention in international crises, while the efficiency of its field operations had constantly improved. That progress had been illustrated by the High Commissioner's visit to Indonesia and the arrival of UNHCR emergency aid to East Timor even before the international peacekeeping force had been deployed there. That was an example of the extent to which UNHCR could operate at all levels with remarkable speed and competence. Coordination with other entities as well as in other important areas had also seen constant improvement, which was to UNHCR's credit. In several operations, the speed of response had been a decisive factor. That had been the case in the Kosovo crisis, from which a number of extremely important lessons could be learned. Italy's involvement in Kosovo had been prompt, coherent and unprecedented in scope, and that had resulted in a rapid response enabling the needs of the affected populations to be met. UNHCR, in its turn, had demonstrated an impressive ability to adapt despite the enormous scale of the task.

34. He shared the concerns expressed by the High Commissioner on military involvement in humanitarian operations, although he believed that, in emergency situations of unexpected dimensions, such as the Kosovo crisis, the immediate assistance provided by the military contingents of some countries had made it possible at least to meet the most urgent needs of the people affected.

35. Mr. JAKUBOWSKI (Poland) said that there could be no proper security or effective protection without partnership. Partnership could be defined in the first place as coordinated international action involving a wide range of actors. The latest humanitarian crises in Kosovo and East Timor - both of unprecedented magnitude and urgency - had shown that no single organization or country had the technical, human or logistical resources needed to meet the challenge. During the Kosovo crisis, Poland had for the first time taken part in a massive international humanitarian intervention, with the help of its partners, and foremost among them, UNHCR and the International Organization for Migration (IOM). Poland strongly supported UNHCR's efforts to strengthen its cooperation and partnership with other international actors.

36. Secondly, partnership could be a way of enabling the authorities, institutions and citizens of a host country to take care of asylum-seekers. An indispensable requirement in such an approach was respect for the dignity of the persons concerned. That was possible only once the necessary legal procedures had been adopted and enforced and the population of the host country had an appropriate attitude to foreigners who faced intimidation in their home countries. However, it was important not to forget that successful adaptation in what was sometimes a totally different social environment also depended on the attitude of the refugee.

37. Thirdly, partnership could be described as equal participation by all countries concerned in drawing up international standards for the treatment of refugees. Migrations and refugee policies were interdependent issues. The participants in the Stockholm Conference on International Migration, Development and Integration had suggested that European countries should formulate and introduce a new policy on the problems of migration and refugees. The international community should tackle the root causes of the problem more vigorously. The implementation of such a policy would not be easy and would require partnership between migrants' and refugees' host countries and their countries of origin. In tackling the problem, humanitarian aid was not enough; development assistance and cooperation in building civil society and democracy were also essential.

38. Mr. NOIRFALLISSE (Belgium), endorsing the statement made by Finland on behalf of the European Union, drew attention to four aspects to which Belgium attached great importance, the first two of which were the reinforcement of linkages for effective, realistic and responsible collaboration among the various actors at the international, European, national, governmental and non-governmental levels and the reaffirmation of the basic principles of humanitarian law, from which there could be no departure. Belgium was a land of asylum and an area of law and liberty and, precisely in order to avoid the risks of social exclusion and rejection, it tried to apply a realistic, concrete policy in the areas of immigration and asylum, which were those where citizens had the highest expectations. In response to that need, the Treaty of Amsterdam had transferred jurisdiction for such matters to the European Union. Belgium's approach to asylum and immigration questions must therefore be focused, realistic and concrete, but, if it was to be comprehensible, it must also be open. That was a question of credibility at a time when ordinary

citizens were highly cynical and the risks of political failure were clear. The policy must also be balanced, in the sense that asylum should be granted to those who met the Geneva Convention criteria following a speedy process with judicial guarantees that would ensure objectivity and reliability. It should also be a global policy that took account of the fact that the problem had begun in the country of origin and that there were problems with emigration, as well as on arrival at the foreign border. The desired common approach required solid information on those problems. Lastly, his delegation reaffirmed Belgium's solidarity with Africa and was pleased to note that the draft budget for the year 2000 allocated one third of UNHCR's operational resources to that region.

39. Mr. DIAZ DAVILA (Nicaragua) said that the UNHCR repatriation and resettlement programme for Guatemalan refugees had officially ended the previous day. It had been the last in a series of such programmes implemented in the subregion as an extension of the International Conference on Central American Refugees (CIREFCA).

40. In document A/AC.96/923, UNHCR invited delegations to share their own experiences and make suggestions on how partnerships could be further expanded or strengthened. Nicaragua supported all the points made in the document with a view to ensuring the success of partnerships, particularly the reference to involving directly affected communities through dialogue and cooperation. As indicated in the same document, the programme that had emerged from CIREFCA had been an example of partnership for protection. With the support of UNHCR and various countries that took an interest in the region, the countries of Central America had participated in the programme and UNDP, donor countries, regional organizations, national, regional and international NGOs and representatives of local communities had also been associated. Against that background, quick impact projects had been set up and they had helped thousands of returnees, particularly women, to resettle in their community and make a vital contribution to the process of national reconciliation and economic development.

41. He emphasized the importance of the transition from relief to development, which depended on sufficient resources being provided. Partnerships also had a decisive role to play in the transition phase, consolidating the resettling of those concerned by helping them integrate into working life and providing psychological and social support.

42. Despite the efforts made at the international level to help refugees, displaced persons and others in need of international protection, countless violations of human dignity and human rights would continue to be committed as long as discrimination, violence, hunger and the separation of families endured, with all the despair that brought. There was therefore a duty to continue to work together in a framework of partnerships among the various actors in order to ensure the protection of all refugees and the preservation of their dignity.

43. Mr. PELEG (Israel) said that Israel was currently changing its legislation in various areas in order to bring it into line with the provisions of the Convention relating to the Status of Refugees, to which it was a signatory. Provisions relating to refugees and asylum-seekers were to be introduced into the legislation governing entry into Israel. The Ministry of Justice intended to propose the establishment of a body that would be responsible for granting refugee status on

the basis of an examination of applicants' files. The preparatory work was being carried out with the support of UNHCR, which had offered to act as an information centre and provide training for Israeli staff recruited to that body.

44. Every time a crisis broke out somewhere in the world, with its resultant movements of refugees, Israel, despite its limited resources, helped in efforts to relieve their suffering. In recent years, Israel had been involved in setting up field hospitals in Rwanda and, more recently, in Kosovo, where Israeli doctors, nurses and medical auxiliaries had carried out their humanitarian mission with great dedication. Israel intended to continue to work in that way in the future, in cooperation with UNHCR, in particular.

45. Mr. BORCHARDT (Observer for the European Commission) said that the Treaty of Amsterdam gave the European Union new responsibilities in the area of asylum. In order to carry out those responsibilities, the European Commission proposed to establish useful, effective and fair standards that responded to the needs of member States, nationals of affected third countries and European citizens. On the threshold of the twenty-first century, the international community already had a key international standard: the 1951 Geneva Convention and its Protocol, as well as the institutions that supported it and well-developed asylum regimes. Nevertheless, it was necessary to make an additional effort in order to safeguard the right to asylum. The European Commission therefore welcomed the idea of strengthening partnerships, the subject of the annual theme.

46. Declaration 17 annexed to the Treaty of Amsterdam provided for consultations on matters relating to asylum policy to be established with UNHCR and other relevant international organizations. The Commission would consult regularly with UNHCR on proposals in the area of legislation. Exchanges of views had already taken place: since 1997, on the subject of submission of European Commission proposals on temporary protection, and, since March 1999, on its discussion document on common standards on asylum procedure. Such exchanges of views would continue, addressing, inter alia, the responsibility to consider asylum applications within the Union, the EURODAC register, the definition of refugee, the notion of persecution by non-State agents, family reunification and reception conditions for asylum-seekers. More generally, the issue of a single European asylum system would have to be more thoroughly discussed.

47. The Commission fully supported the comprehensive approach to the issue of refugees put forward in document A/AC.96/923. It was actively involved in the high-level group on asylum and immigration, one of whose main emphases was the idea of a migration policy based on partnership and co-development with countries of origin. The structural availability of the European Union's analysis and crisis prevention capabilities and economic, foreign, security, development and humanitarian aid policies should help in moving towards a European asylum policy. The proposed partnerships should be implemented taking full account of the values of each partner.

48. One of the pivotal points of the partnership between the European Community, through its humanitarian office (ECHO), and UNHCR was humanitarian aid. The European Union was UNHCR's leading donor. Cooperation between ECHO and UNHCR was satisfactory, although there were some difficulties. The general framework agreement adopted in summer 1999 by the

United Nations and the European Commission should facilitate that cooperation and, more specifically, make it possible for UNHCR to sign ECHO's new partnership framework agreement. ECHO was itself founded on the idea of partnership, both with international organizations and with NGOs. Everything required for humanitarian action fell within its scope: saving lives and protecting. In the future, it intended to prioritize the protection aspect and respect for international law. In consultation with other members of the international community and the United Nations, ECHO had, on the basis of a discussion document submitted by the Commission in May 1999, embarked on a study of the relationship between humanitarian law and human rights. With regard to the safety of humanitarian personnel, he hoped that an integrated security strategy for humanitarian operations would very soon be adopted and called for more inter-agency security agreements; he urged donors to become more directly involved in security issues. The European Commission reaffirmed its commitment to giving continuing support for UNHCR's vital role in dealing with humanitarian crises by providing stable funding and closer coordination.

49. Ms. BELLO de KEMPER (Observer for the Dominican Republic), acknowledging the importance of the chosen annual theme, said that she wished to refer to two points already mentioned by other delegations. First, it was the responsibility of States of origin to create the conditions for their nationals to return in dignity. Moreover, most refugees returning to their country helped to create better living conditions. There was no need to look further than the contribution Dominicans had made on their return to the country after years of exile, more than 30 years before. Secondly, there was a need for close partnership among States, international organizations and civil society, not only in response to humanitarian emergencies, but also in order to prevent them. Prevention programmes should incorporate a call to all States to include a culture of tolerance and respect for human rights and the principles of humanitarian law in their education curricula. In that way, it would be possible to promote a culture of peace and educate generations of citizens and politicians who would use dialogue to resolve differences or, in other words, to reduce the number of root causes of such refugee outflows as the almost biblical migrations being witnessed today. Those ideas were similar to the ones to be discussed at the forthcoming meeting of the International Red Cross and Red Crescent Movement with a view to asking States to include humanitarian law in their education curricula.

50. Mr. ASTANAKULOV (Observer for Turkmenistan) said that the work UNHCR had done in Turkmenistan was a good example of the kind of fruitful, balanced action that could be taken to deal with what were now urgent practical tasks. The Programme of Action of the CIS Conference was being implemented and progress had been made both on the ground and in terms of legislation. Over the past three years, 6,000 Tajik refugees in Turkmenistan had returned to their country thanks to close cooperation with UNHCR. In July 1997, Turkmenistan had enacted legislation on refugees and acceded to the 1951 Convention and the 1967 Protocol. In March 1998, it had signed a cooperation agreement with UNHCR. In May 1999, a working group had been asked to prepare recommendations for the Government on the implementation of the legislation on refugees and it should have completed its work by around 15 December. Recently established national NGOs had taken part in the preparation of the current session of the Executive Committee. Such results were encouraging.

51. Turkmenistan drew donor countries' attention to the two kinds of problem it faced. First, it had to help more than 15,000 refugees to integrate into society and required the financial and

technical help of the international community to do so. Secondly, the political and economic changes taking place in the region of Central Asia, the Caspian Sea and neighbouring countries presented grave threats which needed to be taken into account if a humanitarian disaster was to be avoided. Turkmenistan, as a neutral country, could play an important role in resolving the internal problems of Afghanistan and Tajikistan. On the domestic front, reforms were envisaged that should ensure the development of the economy and a society based on the rule of law. Such efforts were of considerable historic importance and Turkmenistan hoped that the support of the international community would not fail.

52. Mr. SARRA (Observer for the Syrian Arab Republic) said that the refugee problem was a humanitarian issue with political and geographical dimensions which required solutions based on cooperation and on UNHCR efforts. He thanked UNHCR for establishing the Al-Hol camp, where thousands of Iraqi refugees were still living, and for the material assistance and aid in voluntary repatriation that UNHCR had provided for refugees living in towns. He welcomed the cooperation between UNHCR and the Federation of Arab Red Cross and Red Crescent societies. The presence of a large number of Palestinian refugees under UNWRA responsibility was a heavy burden for Syria. He reaffirmed Syria's full support for UNHCR as it carried out its noble mission.

The meeting rose at 5.30 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.538
12 October 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fiftieth session

SUMMARY RECORD OF THE 538th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 6 October 1999, at 10 a.m.

Chairman: Mr. PEREZ-HERNANDEZ Y TORRA (Spain)

later: Mr. KHORRAM (Islamic Republic of Iran)
(Vice-Chairman)

CONTENTS

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.99-04591 (E)

The meeting was called to order at 10.15 a.m.

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (agenda item 4) (continued) (A/AC.96/923)

1. Mr. N'GORAN-TECKLY (Observer for Côte d'Ivoire) said that the complexity of the crises which led to population movements was just one explanation for States' reluctance to grant asylum.

2. Security was of concern not only to States, but to the entire humanitarian community. It was of particular concern to refugees because their fundamental right to life and physical integrity was at stake.

3. His country advocated a legal approach to the issue, since the protection of refugees had to be anchored in law. States should therefore accede to international human rights and refugee law conventions and establish a legal framework which guaranteed respect for the principles they embodied. Decisions to expel refugees or asylum-seekers also had to have a legal basis and not be arbitrary or dictated by the whim of an official. It was important that countries should provide asylum-seekers with rapid procedures for the processing of their applications.

4. It was equally important for international organizations and non-governmental bodies to take Governments' anxiety about security seriously and adopt the necessary measures.

5. Côte d'Ivoire, which upheld the principles of non-refoulement and voluntary repatriation, continued to admit asylum-seekers from the two Congos, Rwanda and Burundi and was doing its best to facilitate the voluntary repatriation of Liberian refugees. It was about to adopt national legislation on refugees.

6. Refugee protection called for joint, concerted action, but, in order to avoid waste and duplication, the role and mandate of each actor had to be defined. UNHCR's mandate had to be recognized and respected, and that meant that UNHCR had to have free access to refugees everywhere. Governments were nevertheless solely responsible for security measures.

7. Refugee protection was bound up with several other issues. Environmental protection and the rehabilitation of areas affected by the presence of refugees were abiding concerns. Efforts to develop the economies of the refugees' countries of asylum and of origin were the best means of offering post-conflict protection. Poor management during that period could spark off renewed wars. In that connection, he particularly welcomed moves to adopt stability pacts, which would, if they materialized, provide a legal framework for development schemes involving public and private sector actors. Such agreements would also strengthen and add substance to existing cooperation agreements.

8. In his country, which maintained a substantial military presence along the border with Liberia to prevent incursions by Liberian rebels who had killed nearly 100 Ivorians, partnership could have increased security for the thousands of refugees living outside camps.

9. Partnership should also help to marshal resources for programmes to provide practical assistance to refugees to enable them to become self-sufficient. The international community and donor countries had to ensure that responses were even-handed. Globalization should not be seen merely as an opportunity for trade; it also implied solidarity. If any refugees deserved special treatment, it was those in Africa, who had been taken in by countries that had enormous problems themselves.

10. Partnership which heightened the awareness of civil society and enabled Governments to deal with refugees effectively was the only way to meet the challenge of the related issues of protection and security.

11. Mr. SOLANO (Observer for Guinea) said that the annual theme had struck a chord with his country, which had taken in hundreds of thousands of refugees fleeing civil wars in neighbouring countries. That large-scale presence was weakening Guinea's ability to achieve its development targets. In fact, the country had received more refugees in proportion to its population than any other country in the world and its current, most urgent worry was security within its borders.

12. Since 1993, Guinea had suffered from repeated rebel incursions, which had heightened poverty and insecurity in some areas. Unless a solution was found, people in those areas might come to fear for their lives and property to such an extent that they would start rejecting refugees. It was therefore time for the international community to become more closely associated with the process of establishing peace in Sierra Leone and stability in Liberia.

13. His country strongly supported the idea of holding a peace conference under the auspices of UNHCR as a means of relieving tension, promoting the return of refugees to their countries of origin and introducing a pact of stability and solidarity between the four States concerned, Guinea, Liberia, Sierra Leone and Côte d'Ivoire. The Executive Committee's meetings were the ideal place to launch an appeal for a coherent economic, political and military programme backed by international donors.

14. Refugee protection called for a structure of individual rights and duties and State responsibility. To that end, a bill on the status of refugees was going to be submitted to the Guinean National Assembly in the very near future. At the same time, his Government was determined to honour its commitments under international refugee conventions.

15. Crises in other parts of the world received far more attention from the international community than conflicts in Africa. That disparity was also reflected in the assistance given to refugees. Guinea might start to suffer from humanitarian fatigue if the international community continued to be so indifferent. Programmes therefore had to be implemented to compensate for the shortfall in aid to host countries. His Government hoped that the Executive Committee would support the special consultation on Guinea which was to be held in Brussels in November with a view to mitigating the consequences of the large-scale refugee presence in Guinea.

16. Mrs. ABOULNAGA (Observer for Egypt), welcoming the High Commissioner's efforts to promote the protection and safety of refugees, said that the worsening situation of refugees and displaced persons reflected the difficulties the international community faced in implementing the 1951 Convention relating to the Status of Refugees.

17. The protection of human beings was vital and defending their right to life was an international responsibility calling for cooperation and joint efforts. The annual theme was an indication of the urgency of the challenge created by the proliferation of conflicts.

18. Refugee protection depended on the political will of the international community and its fulfilment of the commitments it had undertaken. Her country considered that lasting solutions to the refugee problem required the strengthening of partnership, as well as international cooperation by Governments, United Nations agencies and humanitarian organizations. Coordination and cooperation had to be the cornerstones of endeavours to reintegrate refugees and displaced persons in the economic and social fabric of their own countries.

19. Egypt believed that the efforts made by the international community and the United Nations to protect refugees had to be based on international law and the United Nations Charter and had to respect the sovereignty of States and the principle of non-interference.

20. The international community could not remain indifferent to flagrant violations of human rights and the rising number of victims of armed conflicts, but, if any joint international action was to be successful, it had to take account of the dividing lines between the mandates of United Nations agencies.

21. UNHCR had to use existing machinery and not introduce new mechanisms which would alter its humanitarian nature and turn it into a body for monitoring human rights violations, as had been suggested in paragraph 9 of document A/AC.96/923.

22. African States had a pioneering role to play in sharing responsibility for finding a solution to the plight of refugees and spreading the burden among host countries. It had been estimated that one third of the world's refugees were African. Africa therefore required more financial and technical assistance in order to cope with the strain and fulfil its responsibilities towards displaced persons. African countries hoped that such assistance would not be conditional on questions which had nothing to do with humanitarian issues.

23. The Kosovo crisis had illustrated the disparity between the volume of assistance given to refugees and displaced persons from that country and the amount of assistance offered to Africa. Statistics had shown that, for every dollar spent on a Kosovar refugee, only 11 cents were donated to an African refugee. That discrimination should shock the international community into an awareness of the need for greater equality in assistance to refugees and the victims of armed conflicts, regardless of political or geographical considerations.

24. No reference could be made to international solidarity without mentioning the financial problems of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), which affected its operational capacity. She appealed to UNHCR to cooperate with UNRWA and welcomed cooperation between UNHCR and the Arab League.

25. Egypt appreciated UNHCR's efforts to guarantee the safety of refugees and displaced persons and to enable them to return home voluntarily and hoped that cooperation between UNHCR, United Nations agencies and other humanitarian organizations would continue. It condemned attacks on and the kidnapping of humanitarian personnel and supported UNHCR measures to combat such crimes.

26. Mr. MATLOU (South Africa) said that, despite the fact that Africa held one third of the world's refugee population, there was a deplorable shortfall in funding for the region, as compared with other parts of the world. It was essential to restructure the Western-dominated international refugee regime - including UNHCR - and define rules and responsibilities clearly, if the root causes of forced migration were to be tackled effectively. Human rights, democracy and good governance had been proclaimed the harbingers of the new world order, yet there was a reluctance to fund the structures, processes and procedures necessary to protect them.

27. South Africa had acceded to the main international and regional conventions on refugees shortly after the new Government had taken office in 1994. The next step in providing legal and physical protection to asylum-seekers and refugees had been to promulgate the 1998 Refugees Act, covering reception and protection of asylum-seekers, processing of asylum applications, and refugees' rights and obligations. Regulations under the Act were currently being formulated in order to make it fully operational.

28. In institutional terms, the National Consortium of Refugee Affairs (NCRA) focused on the development of policy on refugees and standards for the provision of basic services.

29. Protection was not only a matter for legislative and institutional measures, however. It must also come from within the community, as the product of an understanding of the root causes of refugee situations, the social acceptance of refugees and an acknowledgement that the phenomenon was likely to continue for some time. In South Africa, recent threats to refugees' safety and security, involving agents from the countries of origin and local criminal elements, were being dealt with in decisive fashion. However, the rights of asylum-seekers and refugees had to be balanced with responsibilities: the involvement of refugee groups in criminal activities, for example, could not be tolerated.

30. His Government was considering establishing short-stay reception centres in order to speed up the processing of the tens of thousands of asylum-seekers and refugees who came from more than a hundred countries, and to minimize security risks, racketeering and corruption.

31. Many of those seeking asylum in South Africa came through safe countries where they could secure protection, but it seemed they were denied protection or not properly advised. The international system of protection was based on

the principle of burden-sharing. UNHCR should invest in a robust, functioning refugee regime across Africa in order to help all the States in the region to meet their obligations.

32. A more proactive approach had to be taken to addressing the root causes of refugee crises, including making material improvements in living standards. South Africa was involved in multilateral efforts at peacekeeping, peacemaking and conflict resolution in Africa and elsewhere. He urged UNHCR to help bring about the implementation of its memorandum of understanding with SADC and to cooperate more closely with OAU, particularly on capacity-building projects to enable African countries handle refugee crises better.

33. Ms. BIKÉ (Observer for Gabon) said that peace was the key to solving refugees' problems. Her country worked tirelessly at conflict resolution and peacekeeping in the subregion and beyond, attempting to build confidence, consensus and dialogue. Gabon had invested wholeheartedly in the implementation of early warning conflict prevention mechanisms in central Africa and in the establishment of the Council for Peace and Security in Central Africa (COPAX). The President had recently presented to other heads of State of the subregion the idea of setting up a humanitarian affairs office for Africa under the auspices of OAU and the United Nations. With the advantage of local knowledge, such an office could serve as a focal point for rapid intervention and coordination of aid to refugees. At the regional level, the last OAU summit in Algiers had committed itself to prioritizing peaceful conflict resolution and had agreed that the African mechanism for conflict prevention, management and resolution was of enormous value.

34. Gabon welcomed the help UNHCR had provided in dealing with the thousands of Congolese refugees arriving at the border in a state of total exhaustion. Refugees continued to arrive from Congo and elsewhere.

35. The strengthening of partnership for protection was recognized by all to be an urgent necessity, but how could developing countries, with their economic problems and armed conflicts, be active partners in dealing with mass inflows of refugees if they were not given the logistical means to ensure the safety of vulnerable groups such as women and children? The international community must ensure that all refugees, from the north or the south, received equal treatment.

36. Mr. TEPER (Kenya) said that threats to refugees' security and host countries' peace and stability came either from refugees' countries of origin or from within host countries themselves. The task was therefore to create conditions in which refugees could return in safety and dignity. Kenya itself had experienced the effects of disturbances in neighbouring countries. The long period of lawlessness in Somalia, for example, had forced many Somalis into Kenya, and Kenya's own national security had then been threatened as banditry and criminal activities had spilled over as well. Attempts had been made, with UNHCR's help, to protect both Kenyans and refugees by increasing the numbers of security personnel. In addition, the border had recently had to be closed in order to protect the refugees and the country, although Somali asylum-seekers were still welcome in Kenya. He called for a concerted effort to help rebuild Somalia and restore authority there. Effective return and settlement had been achieved far more rapidly in many other areas.

37. Armed conflicts were leading to a proliferation of arms; weapons were being taken across borders and into countries that were free of conflict. Kenya was organizing a conference on the problem and called for assistance in reducing the numbers of arms in the region.

38. The President of Kenya was to chair initiatives on conflict resolution in the Sudan, carrying on Kenya's tradition of bringing dissenting factions within countries together to negotiate.

39. Kenya and its partners in the refugee programme had instituted a mobile court that toured refugee camps to hear cases in which refugees had been the victims of crimes. Some groups were of course more vulnerable than others, but the court had proved a deterrent to such crimes. He paid tribute to the countries that had facilitated the resettlement of vulnerable groups and individuals in order to ensure their security and protection.

40. It had not been easy for Kenya to maintain its open-door policy in the absence of domestic legislation on refugees. He was therefore pleased to announce that a draft bill was soon to be debated in Parliament. Kenya was also working with its partners to issue all refugees with identity cards in order to help in registration and to protect them from unnecessary hardship. Lastly, he thanked the UNHCR offices in Nairobi and Addis Ababa, their partners and other humanitarian organizations, for their help in repatriating Kenyan refugees in Ethiopia and providing them with essentials such as water and shelter.

41. Mr. SOMOL (Observer for the Czech Republic) said that, during the Kosovo crisis, his country had been effectively involved in the Humanitarian Evacuation Programme by transporting Kosovar refugees and providing them with temporary refuge. Thanks to UNHCR support, the programme had been implemented in an efficient and speedy manner. A few weeks before the beginning of the current session of the Executive Committee, the programme of voluntary repatriation had been successfully completed, all Kosovar refugees wishing to do so having now returned home.

42. The UNHCR office in Prague and the IOM representation had greatly contributed to the success of the whole humanitarian operation in the Czech Republic, as well as of the repatriation exercise. His country was continuing to implement the programme of medical evacuation for persons who could not be treated in Kosovo and had also made contributions both in cash and in kind to UNHCR operations in the region. His delegation, convinced of the usefulness of properly coordinated international cooperation and partnership, congratulated UNHCR on the way in which it had fulfilled its tasks during the Kosovo crisis and welcomed the evaluation process taking place with a view to future improvements.

43. During the past year, his Government had given special attention to the question of asylum procedures, introducing a number of structural changes in line with the process of the Czech Republic's association with the European Union. Today, the largest groups of asylum seekers in the Czech Republic came from Afghanistan, India and Sri Lanka. The primary goal of the State programme for recognized refugees, which was being implemented in cooperation with non-governmental organizations, was the refugees' full

integration in society leading eventually to the acquisition of Czech citizenship. A new draft asylum act based on the relevant legislation in countries of Western Europe was currently under discussion in Parliament an was expected to enter into force on 1 January 2000. The Czech Republic was also preparing to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness

44. Ms. PICTET-ALTHANN (Observer for the Sovereign Military Order of Malt said that, during the Kosovo crisis, the Austrian branch of the Order of Ma had set up a camp for some 3,000 refugees in Albania, where the security of both refugees and humanitarian workers had been successfully ensured thanks the Austrian Government's decision to include military personnel in the operational structure. Another refugee camp organized by the Order's Emergency Corps at the request of UNHCR had been plundered by criminal grou While she fully agreed with the High Commissioner that the military could support, but should not seek to replace agencies with humanitarian mandates, she wished to place on record that, in the former of the above-mentioned tw cases, partnership between civilian and military institutions had greatly benefited the protection of refugees and humanitarian staff.

45. In Africa, the Order had carried out a number of projects for UNHCR, including several in the Great Lakes region, and was continuing its assista in Uganda, southern Sudan, Rwanda and the Democratic Republic of the Congo. Its cooperation in the Balkans had shifted from providing assistance to refugees to reconstructing villages and local infrastructures for returnees. Work on the "Bosnian Women's Initiative" was continuing jointly with UNHCR a a similar structure was being set up in Kosovo. There was also a possibilit of the Order's Emergency Corps becoming involved in humanitarian action in East Timor, particularly in connection with the Order's hospitaller traditi The Order of Malta, which was celebrating its ninth centenary during the current year, was determined to pursue its charitable work for the sick, the needy and refugees without distinction of religion, race, origin or age.

46. Mr. Khorram (Vice-Chairman) took the Chair.

47. Mr. COX (Observer for New Zealand) said that, in addition to supportin the work of humanitarian agencies providing assistance to persons displaced from East Timor, his country had decided to provide temporary refuge to 300 displaced persons from that territory. New Zealand defence personnel we taking part in the United Nations-mandated international force which was creating conditions for the secure return of the population. Earlier in the year, New Zealand had also offered refuge to 600 Kosovar Albanians in need o humanitarian assistance.

48. The events of 1999 had highlighted the importance of collective action to protect the interests of ordinary people caught up in conflicts of variou kinds. The international community had been called upon to provide legal, physical and material protection on a large scale. Effective action called for the underpinning of established internationally recognized principles as well as the establishment of working partnerships between Governments, international agencies such as UNHCR, and civil society. Full and unfettere access to vulnerable groups in need of assistance was, of course, essential, as was the provision of security for humanitarian workers.

49. An issue of particular concern to the Asia-Pacific region was that of irregular migration and human trafficking. Many countries were faced with escalating attempts to abuse the institution of asylum for illegal migration purposes. His country welcomed regional initiatives for constructive solutions to the problems arising from that situation. On 1 October 1999, it had amended its immigration laws to provide a more streamlined response to genuine asylum-seekers. Conditions for the expeditious processing of unfounded spontaneous asylum claimants had been implemented with a view to safeguarding the interests of persons in genuine need of protection. UNHCR's advice and support in developing the new legislation had been invaluable.

50. Prince SOBANDLA (Observer for Swaziland), referring to recent developments in the SADC subregion, said that a conference on security had been held in Swaziland, an economic development meeting had been organized in South Africa and the multimillion-dollar Maguga project had been commissioned to provide irrigation schemes for countries in the subregion, especially Mozambique. A quadrilateral meeting on refugee and asylum issues involving the Governments of Swaziland, Mozambique and South Africa and the local and regional office of UNHCR had been held in 1998.

51. In the light of recent events in Europe and Asia, the man in the street in Africa felt that no one cared for him. The world appeared to be focusing its attention on some areas only, while doing little about the tragedies in Somalia, Rwanda, the Democratic Republic of the Congo and other parts of Africa, many of which were not of Africa's own making. There was a growing perceived notion that Africa was being left alone to solve its own problems. The disparity and visible imbalance in terms of international focus and assistance between refugees in Africa and elsewhere in the world needed to be urgently redressed. UNHCR programmes for Africa should receive similar attention as other programmes elsewhere. Special envoys of the High Commissioner should be deployed in high-profile conflict situations in Africa in the same way as they had been in Kosovo. Efforts by African leaders not only to bring about the peaceful resolution of ongoing conflicts, but also to address their root causes, had to be complemented by action on the part of the international community in a spirit of burden-sharing. His country joined in the call for preventive measures, also known as "soft options". He paid a special tribute to the work done by the Roman Catholic bishop in his country and the general secretary of Swaziland's human rights organization, as well as to UNHCR field workers, and confirmed his Government's commitment to the protection of refugees, as well as of UNHCR staff in the country.

52. Ms. ČEH (Observer for Croatia) said that many forms of cooperation with UNHCR and other intergovernmental organizations had been introduced and implemented by her Government in order to alleviate short-term problems during the refugee crisis in Croatia and a wide range of cooperation measures had been applied following the cessation of hostilities with a view to attaining a durable solution for the largest possible number of refugees, with particular emphasis on helping refugees to return to their homes.

53. After the signing of the Dayton Peace Accords in 1995, Croatia had had some 350,000 refugees and displaced persons in its territory. As a result of four years of concerted effort, 226,000 refugees and displaced persons had returned to their homes in Croatia, while 79,000 still enjoyed refugee status.

The returnees included 34,000 persons who had returned to Croatia from abroad. UNHCR, OSCE and other international agencies had been actively involved at all stages of the return process. International monitors had also contributed to the drafting of a series of legislative acts designed to help to establish an appropriate legal basis for facilitating the return process and to alleviate administrative obstacles. The membership of the implementing bodies for the act or regulations concerned included representatives of international organizations operating in Croatia, who not only cooperated with the Government, but also frequently acted as coordinators. For example, UNHCR and OSCE were the Government's partners in a Return Facilitation Group and UNHCR was involved in the so-called Article 11 Commission under the Erdut Agreement with the European Union. Cooperation was also being practised on a bilateral basis, as shown by the cross-border institutional relationship between Croatia and Bosnia and Herzegovina.

54. In areas where the return process was still continuing or had been completed, Croatia had given particular care to the security issue. For example, it had accepted a continuing United Nations and, later, OSCE presence in Eastern Slovenia with a view to supporting the creation of a secure environment for the return of refugees and displaced persons in the Croatian Danube region. The performance of the local police in Eastern Slovenia, characterized by its mixed ethnic structure and its extensive training by the United Nations and OSCE, had been widely praised.

55. Another area closely linked to the issue of security and the return of refugees where international support and cooperation with the host country were critical to the success of the return process was that of mine clearance.

56. Notwithstanding certain shortcomings and misunderstandings, Croatia believed its partnership with the international community in respect of the return process to have been generally positive. While security was an essential element, it was equally important to develop other forms of partnership, especially in the field of economic and social development, in order to ensure that the return process became self-sustaining. In particular, she stressed the importance of taking objective and effective burden-sharing measures for the economic recovery of areas to which refugees were returning and of enhancing the role of economic institutions.

57. So far as the Kosovo crisis was concerned, Croatia had taken part in UNHCR's Humanitarian Evacuation Programme, had accepted individuals applying for refuge outside the UNHCR project and had donated bilateral assistance to Albania and Macedonia, the two countries most affected by the crisis. Today, Croatia was preparing to participate in a new form of partnership under the auspices of the Stability Pact for South-Eastern Europe, a regional initiative which, it believed, would contribute to the long-term stabilization of the region. Refugee issues were among those to be specifically addressed in that connection.

58. Mr. ALVAREZ GONZALEZ SAN MARTIN (Spain) said his country wished to add a number of points to those made on behalf of the European Union by the representative of Finland. In the last year, the refugee situation had not changed in either quantitative or qualitative terms. The root cause was still

gross violations - in many cases deliberate and systematic - of the most basic human rights. In political terms, protection essentially meant preventing conflict by eliminating its causes.

59. Europe had had its share of challenges in the past year: the Kosovo crisis had produced 800,000 internally displaced persons and refugees by June 1999 and the subsequent return of the vast majority of those had then given rise to further involuntary displacements of minority populations such as Serbs or Roma, swelling the already huge numbers of displaced persons and refugees in Serbia who had fled the conflicts in Bosnia and Croatia.

60. With its blend of protection, security and humanitarian coordination issues, Kosovo could serve as preparation for the international community in dealing with similar situations in East Timor or, possibly, the Caucasus.

61. Spain supported the principle that, without exception, the State where asylum or refuge was sought had the primary responsibility for protecting refugees. In addition to the 1951 Convention and its 1967 Protocol, the Executive Committee's annual compilation of its annual conclusions over the last 25 years constituted an invaluable body of case law. It was also important for new forms of protection - notably temporary protection - to be discussed alongside other durable solutions. That subject was being seriously considered by the European Union.

62. Children, women and old people had borne the brunt of the crisis in Kosovo, thereby justifying UNHCR's focus on cross-cutting gender- and age-related themes and the use of gender and age as selection criteria in the Humanitarian Evacuation Programme, alongside family unity. The evacuation programme had proved to be a model of effective partnership in which Spain had played a key role.

63. Protection also entailed better coordination at Headquarters and in the field, the possibility of access to persons in need of humanitarian assistance and enhanced cooperation between UNHCR and Governments. The peacekeeping contingents provided by Governments often had an implicitly humanitarian role to play. The security of refugees and humanitarian workers was another legitimate concern, which could be addressed by a fuller exchange of information, genuine partnership and more effective forward planning and forecasting. Spain had also been active in drafting the Convention on the Safety of United Nations and Associated Personnel, and had made significant financial contributions to the work of the United Nations in Kosovo and East Timor.

64. His delegation was pleased to report that Spanish civil society had responded generously to a number of recent humanitarian crises, a commitment paralleled only by the Spanish Government's financial contributions to UNHCR.

65. Mr. [illegible] (Hungary) said that Hungary had experienced at first hand the results of ethnic cleansing, nationalism and xenophobia in neighbouring countries. Over the past decade, and with the assistance of UNHCR, his Government had provided protection to more than 150,000 refugees and asylum-seekers. Illegal migration was a growing problem in Hungary because it posed a direct threat to public safety and increased the financial

burden on the State. The Government had recently completed a major overhaul of its immigration and asylum laws, its procedures for handling aliens and the administrative structures for dealing with immigrants. The purpose of the reform was to create adequate conditions for the civilized and humane accommodation of foreigners, and especially to provide proper treatment for vulnerable categories of refugees and asylum-seekers.

66. More than 5,000 Kosovars had taken refuge in Hungary as a result of the crisis in the region. In addition, thousands of ethnic Serbs, Hungarians and other nationalities had flooded into Hungary. Because it wished to be an effective and reliable partner in protecting refugees, Hungary had been the first country in the region to accede to the 1951 Convention.

67. Mr. IBRAIMI (Observer for the Former Yugoslav Republic of Macedonia) said that, during the Kosovo crisis, the Former Yugoslav Republic of Macedonia had received over 360,000 refugees. They had been variously accommodated in refugee camps, with local families or evacuated to third countries. His Government warmly appreciated the international assistance that had been made available. As a special form of international solidarity, humanitarian evacuation to third countries should always be an option when a host country was faced with a mass influx of refugees. As soon as the troops of the International Security Force (KFOR) had entered Kosovo, the refugees had started to return. However, a certain number of refugees with unsatisfactory living conditions in Kosovo were continuing to lodge temporarily with families in the Former Yugoslav Republic of Macedonia on humanitarian grounds.

68. There were currently some 35,000 Kosovar refugees remaining in Macedonia and, as a result of recent events, ethnic Serb and Roma refugees were starting to arrive. Their numbers currently stood at approximately 4,500. Steps were being taken to prepare those populations for the winter.

69. The Blace border crossing between the Former Yugoslav Republic of Macedonia and Kosovo had originally been constructed for the needs of the Macedonian economy alone. It was currently being used by KFOR troops, international humanitarian organizations and Macedonian commercial traffic. Delays were commonplace. Despite his Government's repeated appeals, no action had been taken to solve that practical problem.

70. Mr. ILLANES (Observer for Chile) said that, having expressed its desire to participate in UNHCR's resettlement programmes, his Government had recently signed a framework agreement with UNHCR to host a group of refugees from the former Yugoslavia. The refugees had subsequently arrived in June. His Government was convinced that intermediate developing countries could make a positive contribution to humanitarian efforts.

71. Human security was dependent on the promotion and enforcement of human rights and humanitarian law, democratic governance, the establishment of a culture of peace and the peaceful solution of conflicts. Awareness-raising activities and the requisite political will were also important elements, as was partnership between Governments, the private sector and civil society.

72. Chile wished to intensify its cooperation with UNHCR and had therefore requested membership of the Executive Committee. It also intended to double its financial contribution to the Office of the High Commissioner and would push for the prompt domestic ratification of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

73. Mr. ABALO (Observer for Benin) said that the Partnership in Action (PARinAC) process for Benin was slowly but surely consolidating the work of UNHCR in his country. Some 150,000 asylum-seekers had arrived in Benin in 1993 as a result of wars in neighbouring countries; today that total had been reduced to just 6,000 officially recognized refugees and 1,000 asylum-seekers. The significant decrease was the result of a successful partnership between the Beninese Government, UNHCR, international organizations and NGOs. A resettlement programme had been launched the previous year, the key components of which were efforts to raise the awareness of the authorities and civil society regarding the desirability of resettling refugees, and the mobilization of development partners. A refugee accommodation centre built with assistance from development partners was due to open its doors shortly. Its purpose was to train refugees to grow their own food and to foster their intellectual, spiritual and moral development.

The meeting rose at 1.05 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.539
22 December 1999

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fiftieth session

SUMMARY RECORD OF THE 539th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 6 October 1999, at 3 p.m.

Chairman: Mr. PEREZ-HERNANDEZ (Spain)

CONTENTS

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.99-04595 (E)

The meeting was called to order at 3.10 p.m.

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (continued) (A/AC.96/923)

1. Mr. KULUE (Observer for Liberia) said that most present-day mass migration problems involving both internal and external displacement were occurring in third world countries, which were not always able to tackle the causes of forced migration. The concept of partnership was therefore crucially important. The current worldwide trend was to encourage regional partnerships for protection. Meanwhile, it was the responsibility of developed countries to create an environment that would enable regional groupings to become sustainable partners in implementing protection duties. Partnership for protection and regional security should be based on dialogue, properly ratified treaties and conventions, and strengthened economies.

2. In the West African subregion, the Liberian Government had continued to make use of the Economic Community of West African States (ECOWAS) and the Mano River Union (comprising Liberia, Sierra Leone and Guinea) to identify lasting solutions to the problems of insecurity and economic coexistence in the subregion. Despite its immense efforts to sustain peace, dissidents based in Guinea had made military incursions into Liberia. Areas of the country bordering on Guinea were host to large numbers of Liberians returning from asylum countries and tens of thousands of refugees from Sierra Leone. Refugees and returnees were constantly on the move and the security of both persons and property had deteriorated. The Government had therefore approved a transfer of refugees from Northern Lofa to a refugee centre at Sinje and allocated considerable resources to the programme. Security had been restored in Lofa County and a humanitarian assessment mission was due to visit the affected area.

3. The Liberian Government lacked the necessary means to defend the country's sovereignty and integrity in the face of the arms embargo imposed by the United Nations, which meant that the dissidents could renew their attacks with impunity. The embargo should be lifted. In addition, the cut-off date for the repatriation of Liberian refugees in Guinea should be extended to enable them to return home in conditions of safety and dignity. UNHCR's mandate was at present limited to externally displaced persons, but the problem of internally displaced persons was becoming ever more acute. The Executive Committee should therefore authorize UNHCR to offer direct assistance to internally displaced Liberians. Although repatriation was the best solution to the refugee crisis, it should not be bought at the price of security. Liberia was committed to the maintenance of peace and security in the West African subregion and the protection of refugees and asylum-seekers in its territory. The international community should help it to honour that pledge.

4. Mr. DJINNIT (Organization of African Unity) said that Africa was home to more than one third of all the world's refugees. UNHCR should be commended for its efforts to assist African refugees, but the international community and especially donor countries had paid inadequate attention to the problem. Host countries were experiencing increasing difficulties in honouring their traditional duty of hospitality to refugees. As the High Commissioner had noted in her introductory statement, the situation of African refugees was tragic. The international community should endeavour to support Africa's efforts to deal with refugees, returnees and

displaced persons; to that end, it should launch regional and multisectoral rehabilitation, reconstruction and development initiatives. The fiftieth session of the Executive Committee coincided with the thirtieth anniversary of the adoption of the Organization of African Unity's Refugee Convention which had helped to alleviate refugees' suffering and ensure their protection. When the Convention had been adopted in 1969, there had been fewer than 1 million refugees in Africa, hailing mainly from countries that were fighting to free themselves from the yoke of colonialism or apartheid. Today, there were nearly 7 million refugees in Africa and almost 20 million displaced persons. Most of those population movements had been precipitated by conflicts, and refugees and displaced persons could in turn become a source of misunderstanding or even conflict between countries of origin and host countries. Refugees were increasingly less welcome in countries which were experiencing enormous socio-economic problems of their own. The situation deserved the undivided attention of the international community and host countries needed all the support they could get.

5. Another problem was the overlap between politics and humanitarian questions. The infiltration of refugee populations by armed elements had further complicated the task of humanitarian institutions and personnel. Accordingly, OAU had decided to tackle the management, settlement and causes of conflicts through its prevention mechanism. Those efforts had not been in vain, for they had recently borne fruit in the peace agreements in Sierra Leone and the Democratic Republic of the Congo, and intensive efforts were under way to find a solution to the conflict between Ethiopia and Eritrea, as well as the crises which had erupted in Burundi and the Comoros.

6. The OAU and its member States were firmly committed to the promotion of democracy, the sound management of public affairs and respect for and the protection of human rights, which were indispensable for the Organization's major area of interest, namely, sustainable development. Africa was waiting for the international community to signal its political will to act as a partner in that enterprise.

7. Mr. PHONGSAVATH (Observer for Lao People's Democratic Republic) said that the magnitude of the global refugee crisis was very alarming. The number of people covered by the High Commissioner's mandate had risen exponentially. There were currently 22 million refugees worldwide. Refugee populations not only posed a threat to stability and peace in the regions concerned, but also impaired their development. No sooner had a crisis in one part of the world been resolved than another would erupt elsewhere; the victims were usually innocent and belonged to the most vulnerable sections of society. The underlying causes were familiar: bloody ethnic conflicts and religious differences, political instability, social injustice and human rights abuses. The deterioration of the economic situation in certain areas of the world was also a factor and another more serious problem should be noted, namely, the growing tendency to interfere in the internal affairs of States. A just and lasting solution should be found and UNHCR should continue to pay special attention to protection needs, particularly in conflict and post-conflict situations.

8. The implementation of international protection principles was central to building a peaceful world where the ideals of refugee protection and the search for lasting solutions would be translated into effective action. Refugee protection was the shared responsibility of all countries. Based on its humanitarian policy proclaimed in 1977, the Lao Government had

continued to welcome all Lao refugees residing abroad who wished to return to their homeland in conditions of safety and dignity. The current rate of repatriation was 300 persons a month and the final group was expected to return in mid-December 1999. The Lao Government fully agreed with the High Commissioner's view that the ideal objective was to create conditions in which refugees could make a free and informed choice about their future. Once again, in order to implement lasting solutions for Lao returnees and ensure their reintegration, his Government called on the international community and UNHCR to help the Lao People's Democratic Republic fulfil its obligations.

9. Mr. CHANG Man-soon (Observer for the Republic of Korea) said that, despite UNHCR's tireless efforts to seek lasting solutions to the refugee problem, the situation had not significantly improved since the Executive Committee's last session. In fact, the past year had been very difficult. Ethnic, religious and political conflicts had led to systematic human rights violations, blatant disregard of humanitarian law and wholesale expulsions of populations. Moreover, as the Standing Committee had indicated, a growing number of States had given preference to domestic concerns at the expense of international responsibilities and had gradually moved away from a law-based or rights-based approach to refugee protection towards what might be termed discretionary arrangements. Additionally, in some areas of the world, there were persons living in refugee-like situations, outside their country of origin, who were not officially recognized as refugees. UNHCR should place more emphasis on protecting them for humanitarian reasons. The protection of refugees, which was difficult at the best of times, had been complicated by the presence of armed combatants among refugee populations. The problem of insecurity confronting humanitarian workers was another topic of great concern to the international community.

10. UNHCR had acknowledged that it could not face those challenges alone. It could perform its functions effectively only in well-coordinated cooperation with States, international organizations and non-governmental organizations (NGOs) dealing with human rights, peacekeeping and development matters.

11. Since its admission to the United Nations in 1991, the Republic of Korea had actively participated in the Organization's humanitarian assistance programmes, including the protection of refugees. During the Kosovo crisis, for example, it had stood shoulder to shoulder with the international community. The Republic of Korea had also taken a strong interest in the protection of humanitarian workers and had initiated an open debate on the issue during its presidency of the Security Council in 1997. His Government was currently seeking membership of the Executive Committee of UNHCR and was grateful to the members of the Committee which had supported its application. The Republic of Korea had also participated in various activities aimed at strengthening partnership with UNHCR, such as the workshop on contingency planning held in Seoul in November 1998. UNHCR should play a central role in the coordination of such international cooperation and the Republic of Korea would continue to support its efforts in that regard.

12. Mr. NKURUNZIZA (Observer for Burundi) said that the unfortunate events following the coup d'état in Burundi in 1993 had led to massacres and major population displacements. There were currently 500,000 internally displaced persons in the country and another 300,000 of his compatriots had chosen the path of exile. Faced with such a massive humanitarian disaster,

the Government had taken a series of steps to create a political climate favourable to the refugees' return. The national reconciliation programme comprised six sections: a process of return to security and peace, the establishment of political dialogue, education for peace and tolerance, the drafting of core texts enshrining respect for human rights, the implementation of major reforms in the justice system and the relocation and reintegration of returnees and displaced persons.

13. Burundi was of course prepared to contribute to the strengthening of partnership to protect refugees, but its ability to act was limited by a number of constraints. First of all, it faced economic problems resulting mainly from the unfair and illegal economic blockade imposed on it by its neighbours and the unacceptable politicization of the refugee repatriation process. In that regard, it was most anxious for UNHCR to move on from the phase of facilitating the repatriation of Burundian refugees in the United Republic of Tanzania to the phase of promoting repatriation, especially as peace had now been re-established in 12 of the country's 16 provinces. Another problem was the failure to respect international conventions concerning the placement of refugee camps as far as possible from the border of the country of origin. As a result, members of armed groups had slipped into the camps and intimidated potential returnees with impunity. Finally, his Government deplored the international community's indifference to the dissemination of ethnic hatred through the press in certain countries by associations of Burundian refugees.

14. One of the biggest challenges facing Burundi was the security issue. In order to deal with the problem, the Government had launched an operation to protect the civilian population in one of the provinces where pockets of insecurity had persisted. The operation involved grouping the population in protected facilities, thereby preventing the rebels from using them as human shields. In disregard of the truth, the enemies of peace had been quick to label those facilities as concentration camps. The representatives of the international community in Burundi could vouch that the operation was justified.

15. Some 500,000 internally displaced people in Burundi were still not covered by UNHCR's mandate. Consequently, they had not benefited from the same assistance as returnees living on the same hillsides and undergoing the same privations, a situation that was obviously not conducive to a perception of social justice. UNHCR should extend assistance to those displaced persons. His Government was also counting on the cooperation of the international community, in particular UNHCR and host countries, to encourage the voluntary return of refugees, which was the ideal solution. It would also be helpful if, in addition to essential supplies, UNHCR could provide the returnees with corrugated iron sheets to enable them to build adequate shelter and thereby make a contribution to their social and vocational reintegration. The international community had a moral duty to offer humanitarian solutions that would inspire hope in the world's have-nots.

16. Mr. AL-DOURI (Observer for Iraq) said that, at the present time, refugee flows were associated not only with armed conflicts, but also with internal conflicts, ethnic hatred, socio-economic changes and sanctions imposed by certain countries. Thus, in Iraq, the serious demographic and social consequences of the embargo imposed more than 10 years before had resulted in a significant drift off the land and the emigration of young people in search of work. But despite those difficulties, Iraq was committed to fulfilling its obligation to protect refugees

from neighbouring countries and helping UNHCR to run the refugee camps in its territory. It should also be stressed that Iraqi protection for refugees went beyond the purely humanitarian sphere, since the Government allowed them to practise a profession which would facilitate their reintegration into their country of origin upon return.

17. His Government had helped to alleviate UNHCR's financial burden of protecting refugees in Iraq. Every refugee had been provided with a ration and supply book, just like Iraqi citizens. But owing to the worsening economic situation caused by the embargo, the Iraqi Government had requested UNHCR to review the volume of resources which it allocated to refugee camps in Iraq, in proportion to their population. In addition, UNHCR should extend the same level of assistance to refugees in camps in southern Iraq, particularly around Basra, as it offered to refugees in central and northern Iraq. UNHCR was to be commended for its repatriation and reintegration programmes, which had already benefited 2,400 refugees in Iraq. The Government had nevertheless noted that the reintegration of foreign refugees in the autonomous region had enabled a large number of Kurds to enter Iraq, and that was unacceptable. Refugee protection programmes should be implemented in good faith without dangerous politicization.

18. Mr. KOZLAJ (Observer for Albania) said that recent events in Kosovo had demonstrated the value of UNHCR's 50-year experience of dealing with crises in a spirit of partnership. In Kosovo, such partnership had taken the form of a broad front in which each participant had acted in accordance with defined objectives. For the first time, a military organization, namely the North Atlantic Treaty Organization (NATO), had cooperated with other international and regional organizations to lend assistance to hundreds of thousands of Kosovars. For its part, Albania had immediately associated itself with the international partnership structures that had been put in place. That association had been encouraged by the political will of the Albanian Government and the existence of an appropriate national legal framework. As a party to the 1951 Convention relating to the Status of Refugees and other relevant international instruments, Albania had made all the necessary amendments to its legislation in order to improve the status of refugees. The organizations set up to achieve that objective had been able, in cooperation with international humanitarian institutions, efficiently to administer the complex situation caused by the Kosovo crisis. Since the crisis has not yet been settled, the Government was currently making efforts not only to take care of the refugees who remained in Albania, but also to welcome other groups which might enter the country during the winter.

19. His delegation joined with others in calling for greater efforts to protect ethnic groups which had been subjected to violence. Such acts were incompatible with the peaceful intentions of the Kosovar people. The perpetrators often remained unidentified. Their actions could be attributed to elements which sought to sow ethnic and racial hatred and undermine the international community's efforts to calm the situation and re-establish normal conditions of life. Elements responsible for shedding blood should be brought to justice as soon as possible in order to calm tempers and thereby clarify the situation of Serbs and Roma in Kosovo.

20. Mr. MKANDAWIRE (Observer for Malawi) said that the magnitude of the refugee problem, especially in developing countries, necessitated a partnership based on the principles of solidarity and cooperation with UNHCR, regional organizations such as the OAU, NGOs and host countries. Although efforts had been made to strengthen international cooperation, the

majority of countries with large refugee populations had received only very limited international assistance, whereas their needs were constantly increasing. The international community should not remain indifferent to the plight of the African continent, which was home to the largest populations of refugees and displaced persons.

21. Malawi was a party to a number of international instruments concerning refugees and was committed to fulfilling its obligations. At the same time, however, security considerations were of paramount importance. Malawi had accepted a small number of refugees from the Great Lakes region and the horn of Africa and was closely monitoring the situation in those areas, particularly in the Democratic Republic of the Congo. The international community should put pressure on the warring parties to ensure the implementation of the recently signed Lusaka peace accords and enable the refugees to return home. Pending that development, his Government had launched a programme to allocate plots of land to refugees and thereby promote their self-sufficiency.

22. Mr. JAH (Observer for Sierra Leone) said that the theme of the Executive Committee's fiftieth session was very important, particularly for the 463,000 Sierra Leonean refugees in Liberia and Guinea. Rebel infiltration into the refugee camps in Guinea and the violence which had occurred in the camps in Liberia were worrying developments which had prompted his Government to appeal to UNHCR to intensify its refugee protection role. For the time being, voluntary repatriation could not be organized by UNHCR owing to the slow pace of implementation of the Lome peace accords. However, most of the Sierra Leonean refugees located along the border would return home spontaneously once the security situation improved. Although the repair of homes and other social infrastructures and the creation of job opportunities did not fall within UNHCR's mandate, it remained a fact that repatriation had to be accompanied by reintegration programmes. UNHCR should also take account of the plight of internally displaced persons, estimated at 1.3 million.

23. The Sierra Leonean economy had been entirely devastated by eight years of war and the Government was currently incapable of satisfying the needs of a largely deprived population. However, a programme of disarmament, demobilization and reintegration had already been launched and the assistance of the international community was required to consolidate peace and stimulate the economy. His delegation wished to thank those West African countries, particularly Guinea and Liberia, which had accepted refugees and worked to bring about a return to peace in Sierra Leone.

24. U MAUNG HTAY (Observer for Myanmar) said that the term "refugee" required clarification in view of the complex nature of population movements and irregular migrations. In certain cases, people who lived in border areas moved in search of a better income, better living conditions and better opportunities abroad, often illegally. That was a natural phenomenon tolerated by the host country. In times of economic crisis, however, receiving States tended to be more sensitive and brought the matter to the attention of international agencies. In other cases, refugees who crossed borders to obtain refugee status when no natural disaster or armed conflict had caused their displacement were abusers of asylum procedures who attempted to circumvent immigration restrictions.

25. The root cause of the problem was the gulf between rich and poor. In addition, certain countries were unable to exploit their natural resources owing to internal instability or external measures such as economic sanctions, blockades or embargoes imposed by more powerful States. Refugees and displaced persons were thus a source of tension in inter-State relations. Respect for immigration laws and State sovereignty would obviate such problems. Myanmar was prepared to cooperate with all parties concerned to address the issue.

26. Mr. SINYINZA (Observer for Zambia) said that there were currently about 190,000 refugees from Angola, the Democratic Republic of the Congo, Rwanda, Burundi and Somalia in Zambian territory. As the Zambian President had recently remarked, there was an imbalance between the level of assistance for African refugees and the level of assistance for refugees in developed countries. However difficult the economic situation in many parts of the world, refugee assistance should be distributed on a more equitable basis throughout the world. Zambia appreciated UNHCR's assistance in looking after refugees and intended to put such assistance to good use in terms of improving refugee settlements, health services, educational facilities and other infrastructure projects. His Government was also grateful to the European Union and various donors including Japan, the United Kingdom, Sweden and Italy for the assistance they had provided.

27. The refugee influxes had been caused by the conflict and peace process in the Democratic Republic of the Congo and the current instability in Angola. The Zambian economy was in dire straits, mainly owing to debt servicing. As a result, there were no domestic resources available to take care of refugees. The Government was therefore hopeful that the donor community would continue to offer support and, in the meantime, it was committed to protecting refugees and demonstrating transparency in the use of any assistance received.

28. The partnership between the Zambian Government, UNHCR and other implementing partners had borne fruit in the form of training workshops for the various Government departments concerned, especially at refugee points of entry, in order to raise awareness of the refugees' plight and ensure their protection.

29. Mr. GALLEGOS CHIRIBOGA (Observer for Ecuador) said that the document on the annual theme (A/AC.96/923) was a sound basis for a fruitful exchange of views. The basic aim of collaboration between UNHCR and its various partners was to improve the effectiveness of all UNHCR activities in assisting refugees. Since refugee protection was UNHCR's principal concern, it was essential to strengthen that element by appealing to other actors to achieve similar goals while basing their work on humanitarian law. Refugee crises necessitated a common approach, whence the concept of pooling the efforts of international organizations, States and civil society in order to protect refugees' rights, identify lasting solutions and, most important of all, take preventive action. Numerous conflicts and violations of human rights and humanitarian law had endangered the lives of the staff of humanitarian organizations, among others, accordingly, as specified by article 35 of the 1951 Convention, States should cooperate with UNHCR "to facilitate its duty of supervising the application of the provisions of the Convention". The same obligation devolved on intergovernmental organizations, private associations and civil society as a whole. The Kosovo crisis had offered an example of partnership in which an international presence had made it possible to strengthen protection for thousands of refugees and monitor the security of humanitarian field staff.

30 The problem of refugees affected developing countries in particular, imposing a burden on their economic, financial and social policy. There was an imperative need to take measures to lessen the impact of refugee crises. UNHCR's coordination role and the cooperation of the international community were essential in repatriation and reintegration. The protection of refugees also required concerted international action.

31 The increasing incidence of forced displacement owing to the internal situation in Ecuador's neighbour, Colombia, was a matter of serious concern. UNHCR should strengthen its protection mandate in the region. His Government was pleased that an agreement had been concluded to establish a UNHCR liaison office in Quito which would form part of UNHCR's regional office for northern Latin America.

32 Ms. AKUSHEVA (Observer for Kazakhstan) stressed the symbolic importance of the fiftieth session of the Executive Committee at the dawn of the twenty-first century, a time when the United Nations and the international community were endeavouring to build a universal system of protection based on global partnership. Unfortunately, the international political situation was characterized by disturbing trends such as increased refugee flows all over the world precipitated by military conflicts, ethnic tensions, religious extremism and environmental disasters. In such circumstances, it was essential to strengthen cooperation between all competent authorities both in terms of programme activities and joint projects. States themselves must actively develop international relations and participate in joint programmes to avoid competition when appealing to donors. Owing to the phenomenon of "donor fatigue", UNHCR had a duty to make the best use of available resources, avoid projects which pursued exclusively political goals and give preference to prevention activities. Such activities should seek to strengthen the national capacities of States in areas of potential instability. As part of its mandate, UNHCR should encourage constructive dialogue between Governments, national human rights institutions, NGOs and the private sector.

33 The impact of military confrontation and political instability was especially obvious in Central Asia, where States in the region were threatened by an influx of Afghan refugees and the ongoing Tajik refugee crisis. Illegal migration had made the situation even more difficult, since the region had become a transit corridor for people heading for the economically stable States of Europe and for drugs and arms traffickers. It would be beneficial if UNHCR and the International Organization for Migration (IOM) could organize a regional conference on issues relating to refugee and migrants with a view to developing joint programmes in the Central Asian States. On the question of forced migration from certain areas affected by environmental disasters, such as the Aral Sea and Caspian Sea regions, a partnership based on joint programmes was essential and UNHCR should share its experience in that regard. Central Asian States were also keen to strengthen cooperation with other regions, especially within the framework of the Organization for Security and Cooperation in Europe (OSCE). Her Government hoped that the regulation of refugee and migrant flows would be raised at the forthcoming OSCE summit in Istanbul.

34 As a party to the 1951 Convention and its 1967 Protocol, Kazakhstan had committed itself to drawing up appropriate national legislative provisions. The Government also wished to participate in the multisectoral programmes run by UNHCR and IOM aimed at strengthening national capacity. The initiative launched by UNHCR, IOM and Microsoft to develop a

computer-based registration system during the Kosovo crisis was very interesting and similar programmes could be developed to regulate flows of refugees and migrants. The Government also hoped to put UNHCR assistance to good use in helping ethnic Kazakhs move back to Kazakhstan and adapt to the new economic realities in the country, thereby forestalling social tensions. While commending the work of UNHCR's regional office in Kazakhstan, her Government believed that its activities should be oriented towards more specific projects in order to make effective use of available financial resources.

35. Mr. MUKARO (Observer for Zimbabwe) said that no one agency could offer the entire range of services which refugees required and, consequently, partnership between different actors was essential. Zimbabwe's refugee programme had been tripartite in nature since its inception in the 1980s. It brought together the Government, UNHCR and NGOs. Important decisions or changes could be made only following consultations among the three partners. Under the programme, the Government was responsible for ensuring the protection and security of refugees, in accordance with the 1951 Convention, its 1967 Protocol and the OAU Refugee Convention of 1969. Zimbabwe was a party to all those instruments.

36. It was everybody's business to ensure that refugees integrated smoothly into their host community and all the agencies involved were responsible for keeping the local community informed so as to avert possible xenophobia. Furthermore, refugees were involved in the management of relief aid and together with resource providers were held accountable for resource allocation. To enable refugees to exercise their right to education and employment and their right to determine their own future, NGOs were financing a range of projects, either autonomously or in conjunction with UNHCR, for educational scholarships, income-generating projects and assistance in securing employment.

37. Refugees were often motivated by a strong desire for revenge and they had to be helped to understand that only tolerance could lead to peaceful coexistence. The process of peace-building in their respective countries could start while they were still in exile and agencies which provided services to refugees should perform that function in order to encourage the reconciliation process. Since repatriation was the most desirable solution, the service-providing agencies preparing refugees for their return should offer education and skills training which could be useful when they went home.

38. When internal conflicts lay at the root of international refugee flows, all States, and especially neighbouring States, should work together to restore peace and security in the country beset by conflict. Countries of asylum obviously carried the heaviest burden during refugee crises because the presence of refugees was a source of tension and a drain on already slender resources. It was only by working together and complementing each other's resources that States, NGOs and UNHCR would be able to ensure the protection of refugees.

39. Mr. BOUKAR (Observer for the Niger) said that the Niger had promulgated a law on the status of refugees which, together with its implementing decree, The existing national and international legal instruments were complemented by a national commission on eligibility which dealt with refugee issues and had enabled the Niger to administer more efficiently the increasing numbers of distressed refugees seeking a place of asylum.

40. Notwithstanding its good will, the Niger lacked the appropriate resources and capacity to tackle refugee crises, and that was why the theme of the present session seemed to be very timely. Humanitarian questions were more than ever a minefield and a challenge which no State or organization, however great its resources or capacity, could address individually on an effective and lasting basis. It was essential to pool intellectual resources. Strengthening the partnership approach was therefore an efficient means of ensuring protection and security.

41. The Niger set great store by partnership because its own experience in that field had been positive. The tripartite agreements which it had signed with Algeria and UNHCR, and Burkina Faso and UNHCR, had made possible the successful repatriation of thousands of refugees from the Niger, Mali and Chad. The success of the various operations had been the result of the mutual trust between the States involved and the support of UNHCR and other partners. Since 1998, the Niger had benefited from a socio-economic reintegration programme for returnees. Unfortunately, at precisely the moment when the Niger had had the greatest need of UNHCR to follow those various programmes through, UNHCR had wound down its activities by cutting two officials from the staff at its Niamey office. But national reconciliation and the establishment of a lasting peace depended to a large extent on the programme's success.

42. Mr. NETO (Observer for Angola) said that the increase in the number of displaced persons and refugees in Angola had caused the Government to concentrate on activities falling within the purview of the annual theme. More than half the Angolan population was internally displaced and over 500,000 Angolans had been obliged to seek refuge in neighbouring countries. Domestically, the Government had worked with its international partners to strengthen the institutional capacity of the agencies dealing with refugees and displaced persons and improve the mechanisms for their protection, assistance and social reintegration. In addition, the Government had taken action to deepen the democratization of society and enhance respect for human rights and fundamental freedoms in the country.

43. Regarding the attitude of the international community to the problem of refugees in Africa, and especially Angola, more pressure should be brought to bear on those responsible for precipitating armed conflicts in the subregion and on Jonas Savimbi to disarm his men in the spirit of the Lusaka accords. The Security Council should also assume its responsibilities as the body responsible for maintaining collective peace and security, given that armed conflicts were the principal cause of movements of refugees and displaced persons.

44. Angola wished to thank donor countries and urged them to fund UNHCR's operational programmes and special funds. They should also respond favourably to the various international appeals launched by the United Nations because, in the current context of globalization, the social, political and economic stability of individual countries was a precondition for international stability and security.

45. Mr. PETOCZ (Observer for Slovakia) said that partnership was important in two areas, namely, the prevention of conflicts which caused refugee flows and the transition from relief to sustainable development. As far as conflict prevention was concerned, close cooperation within the United Nations system, particularly with the Security Council, UNHCR and other human

rights bodies, was most important. Partnerships with regional organizations were also essential. With regard to the transition to sustainable development, Slovakia appreciated new initiatives such as the Brookings Process, which had been jointly sponsored by UNHCR and the World Bank.

46. The administration of Kosovo by the United Nations Interim Administration Mission in Kosovo (UNMIK), in close cooperation with OSCE, the European Union and NATO, was an excellent example of a comprehensive approach to refugee crises which Slovakia wished to see extended to other areas of the world. The new democracies of Central and Eastern Europe, including Slovakia, had played a very active role in the Kosovo relief operation. Regional solidarity had naturally been a factor, but their commitment had also been underpinned by a growing awareness on the part of Governments and populations alike that they had a responsibility to resolve international problems. Slovakia had provided humanitarian assistance and taken part in the humanitarian evacuation programme. It had cooperated very closely with UNHCR, both directly and through UNHCR's liaison office in Bratislava.

47. It was essential to ensure the security of staff working for humanitarian organizations and their unrestricted access to problem areas and greater efforts by the Security Council and regional organizations were required to that end. The reform of the Security Council and the strengthening of the mandate of peacekeeping forces could restore hope in neglected areas.

48. Partnerships with the private sector, NGOs, civil society and the media could also be valuable. Insufficient attention had been paid to partnerships with the media, bearing in mind that, without media coverage, events simply did not happen. Greater efforts should also be made to instil in children and young people a feeling of solidarity with people who were suffering all over the world.

49. Since opening its borders in 1990, Slovakia had become a transit country for people heading for Western Europe. In the past two years the number of asylum-seekers, particularly from Central and Southern Asian countries, had mushroomed, and that had prompted the Slovak Government to amend its asylum legislation and bring it into line with European Union standards. Slovakia awaited with interest the results of the Tampere Summit, which was due to examine the European Union's policy on migration and asylum. Slovakia favoured the adoption of minimum standards for asylum procedures.

50. Ms. RUSTAM (Observer for Indonesia) said that the humanitarian situation in East Timor was of very serious concern to her Government because, more than any other country, Indonesia had to deal with the direct consequences. The Indonesian Government, which was sincerely trying to resolve the East Timor problem in a peaceful and democratic manner, strongly condemned the violence which had erupted there since the announcement of the results of the popular consultation. Those acts of violence had been the work of pro-autonomy groups dissatisfied with the way in which the ballot had been held. Homes, buildings and shops belonging to both pro-independence and pro-integration communities had been burned, as well as a number of public buildings. Hundreds of thousands of people had fled to the interior of East Timor, West Timor and other parts of Indonesia. To help those displaced persons, the Government had launched a massive humanitarian operation, despite the economic difficulties besetting the country.

51. Fully realizing that the crisis necessitated concerted efforts and partnerships, the Indonesian Government had provided full cooperation in channelling the international humanitarian assistance provided by foreign countries and international relief agencies and had even requested the Jakarta office of the United Nations Development Programme (UNDP) to coordinate those activities. Her Government welcomed the High Commissioner's recent visit to Indonesia and West Timor and intended to back UNHCR's planned emergency relief programme, especially the security aspect, thereby enabling it to carry out its activities.

52. The Indonesian President had guaranteed the right of displaced persons to return to their homes in East Timor, should they wish to do so, and as soon as the situation permitted. In that connection, the Indonesian Government, UNDP and UNHCR were scheduled to sign a memorandum of agreement on 7 October regarding a repatriation programme based on the voluntary return principle. Her Government was convinced that peace, stability and prosperity in East Timor could be achieved only through a genuine reconciliation between the various groups in the territory, whose disagreements dated back to the civil war of 1975.

53. The Indonesian President had announced that the Government would honour and accept the result of the ballot and had pledged to take the necessary constitutional measures to terminate Indonesia's link with East Timor, in accordance with the agreement reached in New York. The Indonesian Government had accepted the presence of Interfet to help restore security, law and order in East Timor. It would do all it could to guarantee peace and stability until the results of the ballot had been endorsed by the People's Consultative Assembly.

54. Mr. LADER KARL (International Council of Voluntary Agencies (ICVA)) said that NGOs welcomed the growing acknowledgement that they should be involved in refugee protection as key partners, both in situations of mass displacement and in individual protection. They also welcomed the proposed revitalization of the Partnership in Action (PARinAC) process. The partnership between Governments, UNHCR and NGOs at the Conference of the Commonwealth of Independent States (CIS) had strengthened civil society and built a network of NGOs concerned with displacement questions. In addition, NGOs would participate in the work of the Standing Committee as observers, at least in the year 2000.

55. Partnership with refugees needed to be strengthened. A community-based approach must be the basis on which refugee assistance was assessed and implemented. While it was first and foremost the responsibility of Governments to protect human rights, the United Nations, international organizations and NGOs should also intervene in the event of serious violations. NGOs were deeply alarmed by the current crises in the Northern Caucasus and East Timor which the international community had been unable to prevent. It was a matter of extreme concern that double standards had been used when protecting and assisting refugees and displaced persons.

56. Protection should not be based on refugee law alone; it should also make full use of the broad framework of international human rights instruments. During the past year, the right to request and obtain asylum had been threatened in many regions. The use of unlawful and inappropriate control mechanisms such as arbitrary detention, refusal of entry at border crossings and the imposition of prohibitions and sanctions against hauliers had weakened the international protection regime. To counteract those threats to the institution of asylum, active participation

by NGOs was required in drawing up regulations, establishing monitoring networks and implementing conflict-prevention mechanisms. Governments should recognize the expertise of NGOs in that field and refrain from treating them as opponents.

57. The involvement of the military in the provision of security for refugees was important, but their increased participation in humanitarian assistance, which often compromised basic humanitarian principles, was a worrying development. The physical security of refugee women and children was a matter of real concern and NGOs welcomed the attention paid to that issue by UNHCR. In a number of areas where, for security reasons, UNHCR, international organizations and international NGOs had been denied access to refugees and displaced persons, local NGOs could be of some limited assistance. But it was when there was no international presence that refugees and displaced persons were most at risk.

58. NGOs shared many of the concerns expressed by UNHCR in its note on international protection (A/AC.96/914) and other documents dealing with detention, statelessness and family protection. Governments should incorporate the main issues raised in those documents into the protection conclusions. As the High Commissioner had indicated in her preliminary remarks, the forthcoming European Union summit in Tampere should be visionary and forward-looking rather than simply setting a lowest common denominator.

59. NGOs wanted to be more closely involved in formulating the conclusions of the Executive Committee and they hoped that a reform of its procedures would enable them to play a more active role. In the absence of a single organization mandated to meet the protection and assistance needs of internally displaced persons, increased partnership between international organizations themselves and between international organizations and NGOs was more important than ever. NGOs wholeheartedly endorsed the conclusion of the note on international protection that "the protection of refugees is not only an ethical and legal imperative but also a prudent insurance policy for an uncertain future".

The meeting rose at 6.05 p.m.